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THE  
PARLIAMENTARY  
DEBATES

AUTHORISED EDITION

For Session 1892

FOURTH VOLUME OF SESSION

Containing the Debates in Both Houses

from the

THIRD MAY to the TWENTY-SIXTH MAY

1892

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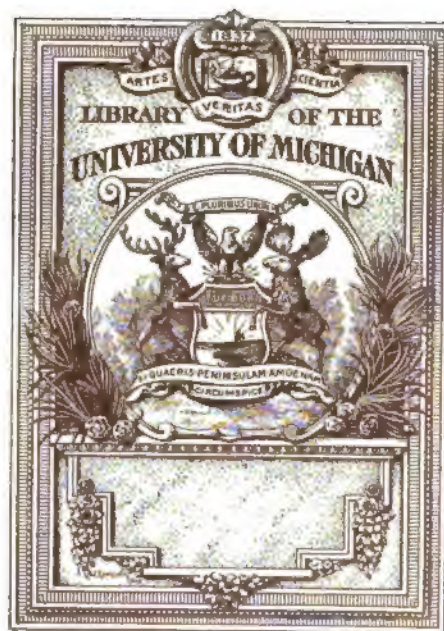
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1892





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THE  
PARLIAMENTARY DEBATES

AUTHORISED EDITION.

FOURTH SERIES:

COMMENCING WITH THE SEVENTH SESSION OF THE TWENTY-FOURTH PARLIAMENT  
OF THE  
UNITED KINGDOM OF GREAT BRITAIN AND IRELAND.

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55 VICTORIÆ.

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VOLUME IV.

COMPRISING THE PERIOD FROM  
THE THIRD DAY OF MAY,  
TO  
THE TWENTY-SIXTH DAY OF MAY,  
1892.

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*Fourth Volume of the Session.*

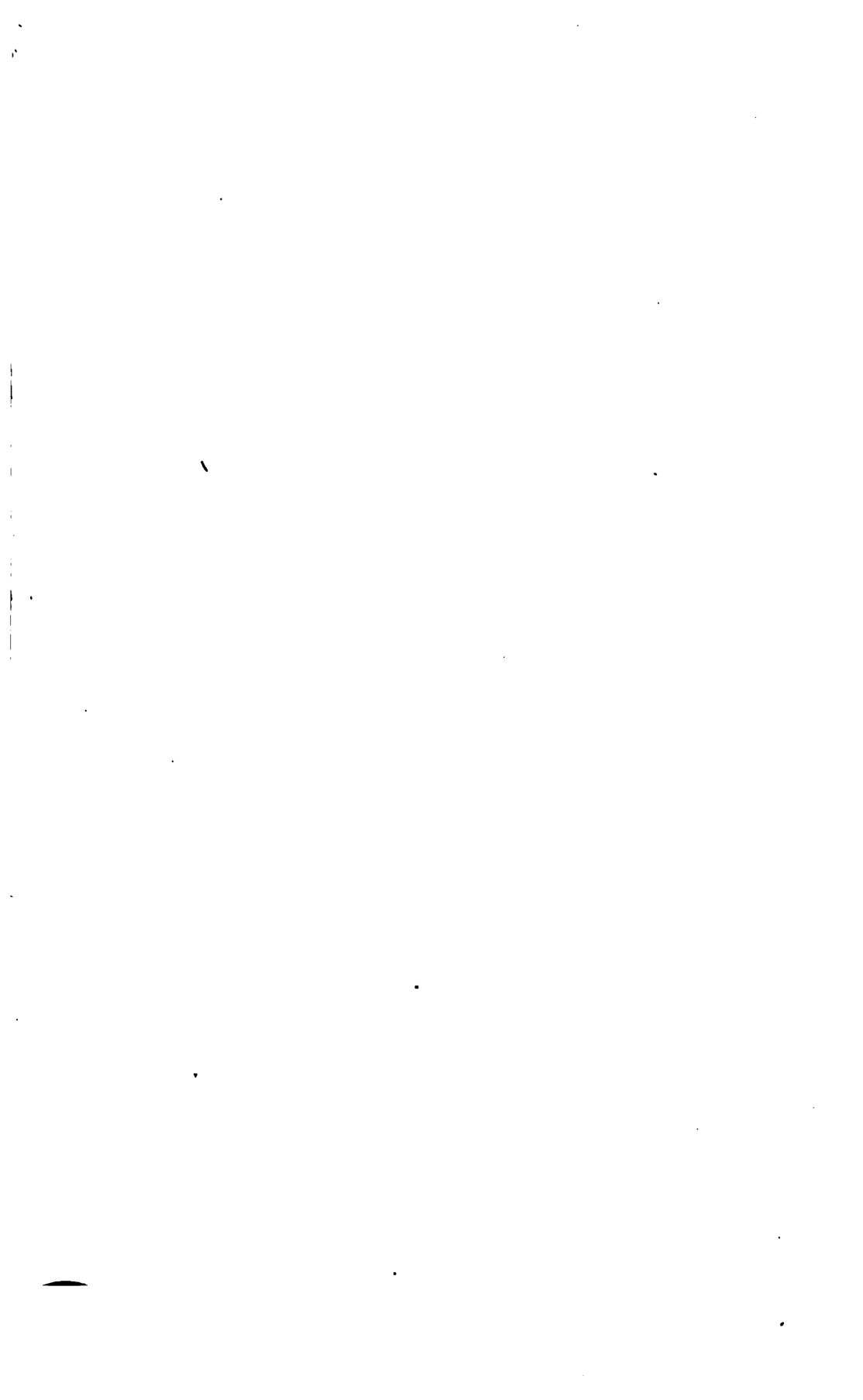
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1892.



### ERRATA.

- 3 May. Page 13, line 42, should read "It is *not* in contemplation."
- 9 May. Page 470, line 30, should read "There *have* been."
- 9 May. Page 471, line 46, should read "recognise *the first comer*."
- 9 May. Page 472, line 15, should read "recognition of the first *comer*."
- 13 May. Page 864, line 33, should read "the *right* hon. Member for *Halifax*."
- 13 May. Page 864, line 45, should read "small *holders* for farmers."
- 13 May. Page 919, line 31, should read "if they *had* opposed."
- 18 May. Page 1247, line 35, should read "read 3<sup>d</sup> to-morrow."
- 19 May. Page 1407, line 31, should read "[Bill 361.]





*An Asterisk (\*) at the commencement of a Speech indicates revision by the Member.*

THE  
**PARLIAMENTARY DEBATES,**  
(AUTHORISED EDITION)

IN THE  
SEVENTH SESSION OF THE TWENTY-FOURTH PARLIAMENT OF  
THE UNITED KINGDOM OF GREAT BRITAIN AND IRELAND  
APPOINTED TO MEET 5 AUGUST, 1886, IN THE FIFTIETH YEAR  
OF THE REIGN OF

HER MAJESTY QUEEN VICTORIA.

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FOURTH VOLUME OF SESSION 1892.

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HOUSE OF LORDS,

*Tuesday, 3rd May, 1892.*

The Lord Dunalley—Took the oath.

LOCAL GOVERNMENT (SCOTLAND)  
ORDER (GLASGOW, &c.) BILL [H.L.]

House in Committee (according to order): Bill reported without amendment; Standing Committee negatived; and Bill to be read 3<sup>a</sup> on Thursday next.

PILOTAGE PROVISIONAL ORDER BILL.  
LOCAL GOVERNMENT (IRELAND)  
PROVISIONAL ORDER (No. 1) BILL.

Read 3<sup>a</sup> (according to order), and passed.

House adjourned at twenty-five minutes  
before Five o'clock.

VOL. IV. [FOURTH SERIES.]

HOUSE OF COMMONS,

*Tuesday, 3rd May, 1892.*

The House met at Two of the clock.

NEW WRIT ISSUED.

For the Borough of Hackney (North Division), *v.* General Sir Lewis Pelly, K.C.B., K.C.S.I., deceased.

QUESTIONS.

SCHOOL ACCOMMODATION AT  
MITTON.

VISCOUNT EBRINGTON (Devon, Tavistock): I beg to ask the Vice President of the Committee of Council on Education with reference to the Petition which was addressed by the inhabitants of Mitton, in the parish of Buckland Monachorum, to the Educa-

B

tion Department in 1891, praying for additional school accommodation similar to that provided in analogous circumstances in the neighbouring parish of Beer Ferris, and to which the Department replied, on 9th February, 1892, to the effect that, having inquired into the case, they thought it would be met by the provision of an infant school at Mitton Combe to hold 50 children, at which children might remain till passing the Second Standard, or attaining nine years of age, whether, in view of the facts that the petitioners were not consulted on the said inquiry, that Mitton and the adjoining hamlets are one and a-half to two miles and more from the existing school at Buckland Monachorum, and that greater facilities have been given for education under similar circumstances at Beer Ferris, the Department will raise its requirements for a school at Mitton to one that will hold 60 children, girls being allowed to finish their education there and boys to remain till ten, if desired?

THE VICE PRESIDENT OF THE COUNCIL (Sir W. HART DYKE, Kent, Dartford): The facts are in the main as stated in my noble Friend's question; but it was held expedient in regard to the educational benefit of the district that one good school should be maintained in a central position rather than two small schools in different parts of the parish.

#### IRELAND AND THE PUBLIC HEALTH AMENDMENT ACT, 1890.

MR. JUSTIN MCCARTHY (London-derry): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland when the regulations relating to "The Public Health Amendment Act, 1890," will be sanctioned by the Irish Local Government Board?

THE CHIEF SECRETARY FOR IRELAND (Mr. JACKSON, Leeds, N.): The regulations relating to the Public Health Amendment Act, 1890, were duly prepared by the Irish Local Government Board and laid before Parliament in accordance with the Act. A Report has been received that no Resolution has been passed by the House of Commons against the regula-

tions, and a similar Report is expected daily from the other House, upon receipt of which the necessary Order in Council confirming the regulations will be forthwith passed.

MR. SEXTON (Belfast, W.): The terms of the Act prescribe two months as the period during which the regulations should be before either House; can the right hon. Gentleman explain how it is that the Report has not yet been received from the other House?

MR. JACKSON: No; I have no explanation to give.

#### BETTING PROSECUTIONS.

MR. PICKERSGILL (Bethnal Green, S.W.): I beg to ask the Secretary of State for the Home Department whether his attention has been called to the following observations, reported in the *Times* and other newspapers as having been made by Mr. Hannay, Stipendiary Magistrate, at the Marylebone Police Court, on Thursday last, in the course of a prosecution for betting instituted by the Commissioners of Police—

"Mr. Hannay observed that, in almost all these betting prosecutions, there was an evident excess of insincerity, for one must know that gambling was going on amongst the highest as among the lowest of society. Fortunately it was not for him to say why one person was prosecuted and another left alone";

and whether he will take such steps as will secure that the laws against gambling shall be enforced by the police with impartiality against all classes?

THE SECRETARY OF STATE FOR THE HOME DEPARTMENT (Mr. MATTHEWS, Birmingham, E.): Yes, Sir, I have seen the newspaper paragraph referred to. The prosecution of a betting-house depends entirely upon the particular circumstances of each case. I think the learned Magistrate cannot have been aware that the Metropolitan Police, in such cases as the Park Club and the Field Club, took proceedings against persons belonging to the higher classes of society; and I am not aware of any grounds for imputing insincerity or partiality to them in the enforcement of the law.

*Viscount Ebrington*



**CATHOLIC PRISON CHAPLAINS.**

**MR. DALZIEL** (Kirkcaldy, &c.): I beg to ask the Secretary to the Treasury why the Roman Catholic Chaplain to the Glasgow Barlinnie Prisons, with a daily population of 1,200 and annual commitments of 27,000, receives only £100 a year, with neither house allowance nor right to pension, whereas the Roman Catholic Chaplain to Liverpool Prison, with a daily population of 1,000 and annual commitments of 1,900, receives £300 a year, together with a house and right to pension?

**THE SECRETARY TO THE TREASURY** (Sir J. Gorst, Chatham): I have no information as to the accuracy or otherwise of the numbers quoted. Salaries are fixed after communication with the responsible Department; and it is impossible for me to compare the various considerations, no doubt quite satisfactory in each case, which justify the respective amounts.

**THE LINCOLNSHIRE CHARITIES.**

**SIR W. FOSTER** (Derby, Ilkeston): I beg to ask the hon. Member for Exeter, as a Charity Commissioner, whether the attention of the Charity Commissioners has been called to the Report of the Charities Committee of the Lindsey (Lincolnshire) County Council, in which it is stated that, out of a Return of 458 charities, 132 appeared to be either lost or misapplied; and whether the Charity Commissioners propose to take proceedings under "The Charitable Trusts (Recovery) Act, 1891," or under any other Acts, with reference to these 132 charities?

**A LORD OF THE TREASURY** (Sir H. Maxwell, Wigton): My hon. Friend has asked me to answer this question. The Charity Commissioners have no knowledge of the Report mentioned in the question. But if the Lindsey County Council should call the attention of the Commissioners to the case of any charity within the Division to which the provisions of the Charities Recovery Act of 1891 are applicable, the Commissioners will consider whether proceedings should be taken under that Act.

**THE FRANCHISE AND POOR LAW RELIEF.**

**SIR H. HAVELOCK-ALLAN** (Durham, S.E.): I beg to ask the President of the Local Government Board whether his attention has been called to the fact that, in consequence of the dispute in the coal trade in the county of Durham, great distress prevails in the south-east of Durham, and the north-east of Yorks, and especially in the towns of Darlington, Stockton, Middlesbrough, and the Hartlepoons; that owing to this distress, many thousands of industrious working men, ordinarily in receipt of good wages, have been for several weeks thrown out of employment through no fault whatever of their own, and by causes over which they have no control, and have thereby been obliged to accept relief from public funds, and will thereby lose their votes at the next General Election; and whether, under these circumstances, he will consider the advisability of passing a short Act through both Houses of Parliament in order to relieve these men from being disfranchised at the coming Election?

**\*THE PRESIDENT OF THE LOCAL GOVERNMENT BOARD** (Mr. Ritchie, Tower Hamlets, St. George's): I greatly deplore the distress which has been caused throughout the districts named in the question by the attitude of the colliers at present on strike. It is undoubtedly a matter of regret that one of the consequences of this strike should be that persons themselves not responsible for it should be driven to have recourse to the Poor Law and thus for a time be disfranchised; but my hon. and gallant Friend asks the Government to take a step in order to avert this consequence, which is of a very grave character. If the Government were to propose that, because these persons were driven to have recourse to the Poor Law by causes over which they have no control, the consequences which are involved by the law as it stands at present with reference to the franchise should not follow, it would be very difficult to oppose similar relief being given to all those who, at any time, by causes for which they are

not responsible, were driven to seek relief at the hands of the Guardians. Such a principle may be right or wrong, but it is a very serious and important change in the law which ought not hastily or without full consideration to be proposed. In addition to the question of principle, there would be great difficulties of detail to which I need not now allude. I hope I have said enough to show to my hon. and gallant Friend that, although the Bill might be what he calls a short one, it involves such serious questions both of principle and detail that it would be impossible to hold out any hope of its passing through Parliament this Session even if it were considered advisable to deal with the matter in the way suggested.

SIR H. HAVELOCK-ALLAN: Fully concurring in the spirit of the right hon. Gentleman's answer, may I ask him will he consider the possibility for the future of devising some means of discriminating between the cases of men ordinarily in good circumstances, and who may be driven to receive exceptional relief, and the cases of those who are habitually in receipt of relief, and therefore are not entitled to the franchise?

\*MR. RITCHIE: As I have endeavoured to inform the House, that is a principle totally foreign to the existing Poor Law, and I cannot myself hold out any expectation that I shall be prepared, with the knowledge I at present possess, to ask the House to consider and deal with exceptional cases produced by such causes.

MR. BRUNNER (Cheshire, Northwich): May I ask the right hon. Gentleman whether in the draft of the Bill for the further Amendment of Local Government this question is dealt with?

\*MR. RITCHIE: I think it would be quite contrary to usage for a Member of the Government to give an explanation of the details of a Bill not yet before the House.

SIR WILFRID LAWSON (Cumberland, Cockermouth): Has the right hon. Gentleman any objection to give time for the discussion of the question upon the Bill I have given notice to introduce?

\*MR. RITCHIE: That is a question which should be addressed to my right hon. Friend the Leader of the House;

*Mr. Ritchie*

but I think, with the engagements the Government now have, my right hon. Friend would find some difficulty in giving time for the discussion of a Bill which must involve a long and intricate debate.

#### FOOT-AND-MOUTH DISEASE IN ESSEX AND HERTS.

MR. H. GARDNER (Essex, Saffron Walden): I beg to ask the President of the Board of Agriculture what was the extent of the area declared to be an infected zone in Essex and Herts by the Order of the Board of Agriculture dated 13th April, 1892, and what the sole reason for that Order; what is the process by which notice of the declaration of an infected zone is given to farmers in districts remote from the market affected; and whether he will consider the desirability in the future—after the disease has been localised on one farm, and a sufficient period has elapsed to show that no other cases have developed since the last open markets of the districts proclaimed—of confining the infected zone to an area of not more than two miles in diameter round the farm where the disease exists?

THE PRESIDENT OF THE BOARD OF AGRICULTURE (Mr. CHAPLIN, Lincolnshire, Sleaford): The zone declared in Essex and Hertfordshire by the Order of the Board on 13th April comprised the Petty Sessional Divisions of Brentwood, Epping, Ongar, and Orsett, and the liberty of Haveringham Bower, in Essex. The reason for that Order was an outbreak at Clavering, in Essex, among animals which were seen by one of the most experienced officers of the Board, and were found to be undoubtedly affected with the disease. When an outbreak is discovered, and an Order of the Board is passed, the Local Authorities are at once informed of it, generally by telegraph as well as by post; and it is their duty to give publicity to the Orders in the district affected. With regard to the system suggested by the hon. Member of declaring smaller areas of not more than two miles in diameter to be infected, I may remind him that that is practically the system which was formerly adopted and failed so signally in the past; and I should be very reluctant, by any engagement

of the kind, to fetter the action of the Board, who must be guided by the circumstances in each case, and upon them the responsibility must necessarily rest of dealing with outbreaks as they think best.

MR. H. GARDNER: The right hon. Gentleman says a similar system of areas was formerly adopted and failed, but I do not think he has quite apprehended the tenour of my question. My question was whether, after the right hon. Gentleman has satisfied himself that there is no danger of an outbreak, except in one particular part of the area, he will then contract the area of the zone around the infected spot?

MR. CHAPLIN: That is precisely the plan formerly adopted, and which experience tells us it is not expedient to renew.

#### POACHING IN THE FOREST OF DEAN.

MR. SAMUELSON (Gloucester, Forest of Dean): I beg to ask the Secretary of State for the Home Department whether his attention has been called to the case of Charles Paul, Crown woodman, of Staunton, Forest of Dean, who was fined 30s. and 10s. costs on Tuesday, 12th April, upon a charge of poaching; and whether, in view of the fact that no evidence was offered by the prosecution that the man Paul was trespassing in pursuit of game, and that he has hitherto borne an excellent character and has never before been charged before a Magistrate, a further inquiry will be instituted into the case?

MR. MATTHEWS: I have received a report from the Magistrates' clerk concerning this case. The evidence showed that Paul—with two other men who were also convicted and fined—was trespassing in pursuit of game. There was no evidence offered that any of the three men had been previously convicted, and no question of character arose. I do not find in the circumstances of the case sufficient ground for interference with the action of the Magistrates.

MR. SAMUELSON: Is the right hon. Gentleman aware that a Magistrate stated one of the persons was a notorious poacher?

MR. MATTHEWS: I am aware of that, but there was no evidence given to warrant that statement; so I

suppose the Magistrate spoke from the fulness of his private knowledge.

#### MACROOM POST OFFICE.

DR. TANNER (Cork Co., Mid): I beg to ask the Postmaster General whether his attention has been directed to the inadequate accommodation afforded in the Macroom Post Office; and whether, in view of the fact that new post offices have been built in other places in the South of Ireland which possess less business and postal traffic than Macroom, steps will be soon taken to build new postal premises in Macroom?

\*THE POSTMASTER GENERAL (Sir J. FERGUSSON, Manchester, N.E.): The sub-post office of Macroom was fitted up by the sub-postmaster in 1888 at considerable expense, and I am told it affords ample accommodation both for the public and for the staff. A new office is quite unnecessary.

DR. TANNER: If I put a representation from the inhabitants before the right hon. Gentleman will it obtain consideration?

\*SIR J. FERGUSSON: Certainly I will consider it, but I have told the hon. Member what the representation made to me is.

#### THE CORK AND DUBLIN MAIL SERVICE.

DR. TANNER: I beg to ask the Postmaster General whether any further steps have been taken to provide the required acceleration of the mail service between Cork and Dublin; and whether any further communications have taken place on this matter between the Post Office and the Great Southern and Western Railway or between the Post Office and the Treasury?

\*SIR J. FERGUSSON: I can only say "No" to this question. Nothing fresh has occurred.

DR. TANNER: Is it the intention of the Post Office Department to submit to the snub offered by the Treasury on this matter?

\*SIR J. FERGUSSON: There is no question of the Treasury in the matter. I fully explained the whole circumstances on a former occasion when the hon. Member raised the subject, and I have indicated that no doubt this sub-



ject will be re-considered at a future time.

#### NAVAL MEDICAL OFFICERS.

DR. TANNER: I beg to ask the First Lord of the Admiralty whether any, and, if so, what, steps have been taken to carry out the promise given by the First Lord that medical officers in the Navy will be given the opportunities recommended by a Commission and Committee of this House—namely, to be given permission to attend, while on full pay, the medical schools in Great Britain, after certain periods afloat?

THE FIRST LORD OF THE ADMIRALTY (Lord G. HAMILTON, Middlesex, Ealing): A certain number of surgeons of the Royal Navy, after returning from service afloat, are now permitted annually to attend metropolitan hospitals for a time on full pay, and the experiment has been attended by satisfactory results.

DR. FARQUHARSON (Aberdeenshire, W.): May I ask whether a similar privilege will be extended to medical officers in the Army Medical Department?

THE FINANCIAL SECRETARY, WAR DEPARTMENT (Mr. BRODRICK, Surrey, Guildford): I shall be glad if the hon. Member will give notice of that question.

#### SHEERNESS DREDGING REFUSE AND LOCAL FISHERIES.

MAJOR RASCH (Essex, S.E.): I beg to ask the First Lord of the Admiralty whether he is aware that Government lighters from Sheerness are in the habit of discharging mud and rubbish into the fishing grounds between the Nore Sand and Sheerness Middle Ground, thereby contravening the Sea Fisheries Regulation Act and the bye-laws of the Sea Fisheries Committee, and inflicting great loss on Essex fishermen, by damaging nets and spoiling the grounds; and whether he will issue an Order directing Government dredgers, like those belonging to contractors and Vestries, to deposit their refuse at a safe distance from the fishing grounds?

LORD G. HAMILTON: A few years ago, when it was decided to dredge a new ship channel in the Medway, the sites between the Nore Sand and Sheerness Middle Ground were chosen for

the deposit of the material so dredged as the least likely to prove injurious to navigation or fisheries. The mud dredged from the basins in the dockyard at Sheerness is also deposited there, but no rubbish is discharged on those sites by Government vessels. The provisions of the Sea Fisheries Act do not apply in this instance, as the sites in question are within the limits of the Dockyard Port of Chatham and Sheerness, over which the Admiralty possesses exclusive jurisdiction. The effect of these deposits is carefully watched, and there is no reason to suppose that any injury has resulted, or will result, to the navigable channels or the local fisheries, which are little followed in that part of the estuary, the quantity of material deposited by the Government lighters being exceedingly small, as compared with the large and deep spaces available for its reception.

MAJOR RASCH: I have to thank the noble Lord for his answer; but I should like to know whether, if it is found that the deposits of mud are injurious to the fisheries, he will give orders to have the practice stopped?

LORD G. HAMILTON: Any allegation of that kind, which is supported by reliable evidence, will be taken into consideration. I think, however, it will be found that my statement is correct, that no injury has been inflicted on the fisheries.

#### PENALTIES FOR NON-VACCINATION IN SCOTLAND.

MR. ALBERT BRIGHT (Birmingham, Central): I beg to ask the Lord Advocate whether the costs and expenses amounting to £1 19s. inflicted on William George Unkles, at Ayr, on 12th January, for having failed to vaccinate his child, are according to law; and whether such charges are uniform throughout Scotland?

\*THE LORD ADVOCATE (Sir C. J. PEARSON, Edinburgh and St. Andrews Universities): I have made inquiry into this matter, and am informed that the costs referred to in the question were taxed by the auditor of the Court before whom the complaint was brought, who passed them as being in accordance with the law regulating such fees. The charges are fixed by Statute, but, of course, must necessarily vary to some

extent according to the circumstances of each case.

#### RE-AFFORESTATION OF IRELAND.

**MR. HARRISON** (Tipperary, Mid): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether a proposal to purchase additional land at Knockboy, County Galway, for the purpose of planting trees, which has been brought under his attention, has resulted in the acquisition by the Congested Districts Board of any further land for re-forestation; if so, what further area is at the disposal of the Board, and at what pace are the planting operations being carried out?

**MR. JACKSON**: I should be much obliged if the hon. Member will repeat the question on Thursday.

#### ST. GEORGE'S BARRACKS.

**DR. FARQUHARSON** (Aberdeenshire, W.): I beg to ask the Financial Secretary, War Department, whether his attention has been called to the conditions of crowding and discomfort under which the examination of recruits has to be conducted at St. George's Barracks; whether the close proximity of the National Gallery to some of the barrack-rooms exposes the pictures to serious risk from fire; and whether, in removal or enlargement of these old and badly constructed Barracks, he will endeavour to obviate the inconveniences and dangers now referred to?

**MR. BRODRICK**: The attention of the Secretary for War has been called to the conditions alluded to, and steps have been taken to remedy the evil, so far as the present limited space will allow. It is in contemplation to remove the Barracks, but the matter will have to be further considered. The question of the National Gallery comes within the province of the First Commissioner of Works, while the latter part of the question was dealt with in a reply given by my right hon. Friend on 17th March, 1891.

#### THE IRISH EDUCATION BILL.

**MR. SEXTON** (Belfast, W.): I wish to ask the Chief Secretary for Ireland a question with regard to the Motion in my name for a Return in connection

with the Irish Education Bill. The right hon. Gentleman stated yesterday that he had no objection to such a Return being prepared. I should like to know whether the Motion is unopposed?

**MR. JACKSON**: I stated yesterday that I had no objection to it so far as I am personally concerned. I am not sure how the hon. Member wishes the Return to be prepared. I may not furnish it in quite the form he requires.

**MR. SEXTON**: Am I to understand that the Motion will not be opposed by any Member of the House?

**MR. JACKSON**: I cannot, of course, answer for that.

#### PACIFICATION OF THE SHIRE DISTRICTS.

**MR. OCTAVIUS V. MORGAN** (Battersea): I wish to ask the Under Secretary of State for Foreign Affairs whether any further news has been received from Consul Johnston from Lake Nyassa?

**\*THE UNDER SECRETARY OF STATE FOR FOREIGN AFFAIRS** (Mr. J. W. LOWTHER, Cumberland, Penrith): Yes, Sir. A telegram was received at the Foreign Office yesterday, in which Consul Johnston reported—

"Entire pacification of the Shire Districts and of those of Lake Nyassa. The two powerful Chiefs, M'Ponda and Jumba, have given valuable assistance against the Arab slave raiders, who have been driven over the Eastern Frontier. Makanjiro, with whom Captain Maguire was engaged when he lost his life, has been driven from the Lake by friendly natives, and Karembe, another important chief, has sent messengers announcing his adhesion to British policy. Captain Keene reports very favourably on the state of the Upper Shire. Mr. King and the Parsee doctor, who were wounded, have recovered, and are performing their duties."

**MR. BUCHANAN** (Edinburgh, W.): What is the date of the telegram?

**\*MR. J. W. LOWTHER**: The first week in April.

**MR. BUCHANAN**: Where is it from?

**\*MR. J. W. LOWTHER**: I think it is from Zomba.

**DR. TANNER** (Cork Co., Mid): Where is that?

[No answer was given.]

## THE BUDGET PROPOSALS.

MR. SYDNEY BUXTON (Tower Hamlets, Poplar): Will the First Lord of the Treasury inform us whether the Budget proposals will be taken on Thursday; and, if not, on what date?

THE FIRST LORD OF THE TREASURY (Mr. A. J. BALFOUR, Manchester, E.): I think it is extremely doubtful. I understood that the Chancellor of the Exchequer would arrive from Ireland this afternoon. As soon as he comes I will confer with him, and I hope to be able to make an announcement on the subject before the House rises at seven o'clock.

## ARBITRATION BETWEEN ENGLAND AND THE UNITED STATES.

MR. CREMER (Shoreditch, Haggerston): I wish to give notice that it is not my intention to proceed with the Motion standing in my name, relating to arbitration between Great Britain and the United States, at this Evening Sitting. I was not aware until a few hours ago that the Motion was to be seconded by the right hon. Baronet the Member for the University of London (Sir J. Lubbock), and supported by various Members in different parts of the House; and having taken counsel with my friends who have given me countenance and help in this matter I have decided not to proceed with it. I will trust to the chances of the ballot to decide when it shall come on.

## ORDERS OF THE DAY.

## EDUCATION AND LOCAL TAXATION RELIEF (SCOTLAND) BILL.—(No. 208.)

COMMITTEE. [*Progress, 2nd May.*]

Considered in Committee.

(In the Committee.)

## Clause 2.

\*MR. ESSLEMONT (Aberdeen, E.): I move an Amendment, in page 2, line 9, to leave out the word "sixty," and insert the words "one hundred." My object is to increase the grant for education from £60,000 to £100,000. I think there is now a golden opportunity of doing for Scotland what we have not been able to do since 1872. It is

notorious, and it is the opinion of all educationalists, that while the Education Act did a great deal for primary education, it has done for secondary and technical education very little. There have been many representations from Scotland as to putting the schools on a proper basis, so as to fit them for the great work they have undertaken. There should be evening schools for young people working in factories or at agricultural employment, where they may receive education according to their circumstances, and such as would fit them for their particular callings. It is admitted by all hon. Gentlemen that whilst Scotland in the past has been credited with being advanced in regard to education, we have receded very much in recent years, that we are falling behind the Continent and other industrial centres, and that unless we observe what is being done by our competitors who have continuation schools and the like, we shall go still further to the rear in the industrial race. A further want is also expressed in another statement coming from the Education Institute—

"To provide sufficient teaching for the children, it is necessary the staff of the schools should be strengthened."

To put the matter as shortly as I can, we have three great Departments needing help. We have first the existing secondary schools, which are admitted to be in a backward condition owing to want of more Imperial assistance. In order that there may be free or cheaper education, we want a large sum of money for these secondary schools. In addition, we require a large sum of money for the inception of technical schools, with their workshops, appliances, laboratories, &c., and then for continuation education — particularly evening schools — we shall require considerable aid. Justice to Scotland cannot be done until these evening schools are free. Nothing was more apparent in the discussion on Free Education, as applicable to Scotland and England, than that the straits of the parents and the encouragement for children was not needed in the primary schools, but after the children had passed the compulsory standard. We require encouragement for those children who are willing to take advan-

tage of the continuation schools. Why, in our large burghs years ago, when there was nothing so good as the primary schools, we had voluntary contributions to mechanics' institutes, and those institutes conducted evening classes at very low fees for the benefit of the community. Many men who attained considerable positions in life were largely educated at those classes. While I am not sanguine enough to suppose that if provision is made we should have all the children taking advantage of it, I believe if we only get one out of ten, or even one out of twenty, the effect in Scotland can only be anticipated with the greatest possible satisfaction. I feel that this Amendment is more important than any Amendment which has commanded the attention of this Committee since I have had the honour of having a seat in the House. If the Government realised the possibilities attaching to the system of continuation evening and day schools throughout Scotland, I am sure they would never consider the miserable contribution which is going to be made for the relief of the local rates, a relief which, in the main, will be for a class who do not need it, and a class which, to their credit, have not been seeking it. I accept with gratitude the concessions made by the Government last night, when they promised a Departmental Committee, regarding which we await fuller information with interest. That Committee will, I think, see that the sum of £60,000 for continuation schools, including evening schools and secondary education, will not half meet the full requirements of Scotland. If we once hand over to the Parochial Boards and other rating authorities this money, we shall experience great difficulty in taking it away. Therefore I make an earnest appeal to the Government to yield at least some concession with regard to the great requirement throughout Scotland. I appeal to all who take an interest in Education in Scotland not to stand upon the sordid interest of the ratepayers, but to consider the advantage of the whole country. In conceding this Amendment the Committee would place Scotland in the position her past deserves and her present needs demand.

Amendment proposed,

In page 2, line 8, to leave out the word "sixty," and insert the words "one hundred."  
—(Mr. Easlemont.)

Question proposed, "That the word 'sixty' stand part of the Clause."

MR. BRYCE (Aberdeen, S.): I hope very much that the Government will accept this Amendment. I should myself have moved to leave out the words sixty thousand, and propose to insert the words one hundred and ten thousand, which stand in the name of my right hon. Friend the Member for Berwickshire (Mr. Marjoribanks), who is not able to be here to-day. I beg to submit to the Government and the Committee that the concession—the frankness and heartiness of which we are glad to acknowledge—made by the Government last night to a demand for inquiry into the needs and conditions of secondary education in Scotland, and the means which will be taken to promote them, make it more than ever necessary that a larger sum than £60,000 should be allotted to educational purposes. That sum, in the opinion of those who have gone into the matter, will be found inadequate for all the purposes which are intended, and which, I believe, are contemplated by both sides of the House. It is, of course, very difficult to say beforehand precisely what sum will be needed, but we now know that we are to have a Committee to examine that question. That Committee will go into the facts; it will submit proposals which are afterwards to be embodied in the Bill before us, and when we have these proposals, and not till then, shall we be able to judge what exact sum of money is required to finish the work in an adequate manner. But it will be perfectly easy, if the recommendations of the Committee should be found to be in favour of even a smaller sum than £110,000, to give the residue to the Town and County Councils, to whom, in preference to the Parochial Boards, I would very much rather see it given. But, waiving that point for a moment, the Local Authorities can very easily get rid of the money. It will not, however, be so easy to take away the money from the Local Authorities and apply it afterwards to secondary

education, and if it were found that the Committee recommended more than £60,000, we may take it that the Committee will extend the purview of the scheme beyond the very narrow limit which has been contemplated in the Memorandum submitted to us. Therefore we are in a much stronger position for asking for a larger sum of money than we were yesterday, and, under these circumstances, I hope the Government will consent. I desire to observe that there is one object which does not seem to have been contemplated in the Memorandum. It is one of great utility, and which necessarily involves considerable expenditure of money. I mean the granting not only of free places, but scholarships or bursaries to the most promising children in elementary schools. Something was said about Wales, but it is not only for Wales, but also for England, that valuable evidence has been furnished by the experience of the last 20 years as to the need for small scholarships or bursaries to enable the promising children of the labouring classes to continue their education. To the parents it is not so much a question of fees; it is rather the question of dispensing with the earnings of the child. I think hon. Members will, if they inquire, see that there is a great deal of evidence to show that we cannot give the help we want to the best children of the labouring classes except by means of scholarships, and that course will mean a considerable addition to the expenditure to be incurred in connection with this scheme. In view of that and other points, I think the Government will see there is very good cause for the demand we now make for an increased amount. I should like to add, too, that we have been hoping to hear from the Government what form they propose to give to their agreement last night to appoint a Committee to consider this matter, and whether they would put upon the Paper an Amendment embodying the consequence of the concessions which have been made. I suppose, however, the Government will take an early opportunity either upon this Amendment or upon some of the Amendments which touch Sub-section B or sub-Section I, of stating

*Mr. Bryce*

what they propose to do about this Committee, and in what form they intend to put upon the Bill the fact that a Committee is to be appointed, and that the Minute is to be framed in accordance with this recommendation. I also hope that the opportunity will be given of reviewing that Minute and the conclusions which the Committee may arrive at, before action is taken upon them by the Department. These are points on which we desire to be informed before we part with Sub-section I.

\*MR. HOZIER (Lanarkshire, S.): Secondary education seems to be a somewhat confusing subject, and to have confused the primary arithmetic of hon. Members opposite. Certainly it has confused the arithmetic of my hon. Friends the Members for East Aberdeenshire (Mr. Esslemont) and South Aberdeen (Mr. Bryce). They seem to think that £60,000 and £50,000 added together make £100,000, while the right hon. Member for Berwickshire (Mr. Marjoribanks), I am glad to see, knowing less about secondary education, understands his arithmetic better, and has made the sum to be £110,000.

MR. ESSLEMONT: If I may interfere in this rather unnecessary arithmetical display, I may say that I intended that the £10,000 left over should be given to the Fee Fund, in order that all schools in Scotland may be free; but for the convenience of discussion, and in the interest of accord, I agreed to the £110,000. My hon. Friend need have no alarm as to our arithmetical ability.

\*MR. HOZIER: I think it would have been better if my hon. Friend had put his scheme down as a whole. I do not see any Amendment on the Paper to that effect.

MR. ESSLEMONT: I beg pardon.

THE CHAIRMAN: Order! Order!

\*MR. HOZIER: At any rate, it does not stand in the name of my hon. Friend the Member for Aberdeen. The Amendment before the House, as now amended to suit the rules of arithmetic, is that the whole sum should be £110,000—that £50,000 should be taken from the Parochial Boards and handed over for the purposes of higher education. I certainly trust the Government will not give way to this Amendment,



for they have at their backs every Conservative in the House, also a large majority of Liberal Unionists, and a considerable proportion of the Gladstonian Members. What says our old friend the *North British Daily Mail*, which represents the opinion of the vast majority of the Gladstonians in the West of Scotland at any rate? In its leading article of 5th April it says—

“It was, perhaps, Mr. Campbell-Bannerman's wonderful heat on this subject which induced Mr. Marjoribanks to suggest last night as a compromise that the Government should add to the £60,000 for secondary education the £50,000 assigned to the Parochial Boards for the relief of rates. The ratepayers seem to have got between the devil and the deep blue sea. This proposed further robbery by Mr. Marjoribanks of the ratepayers, by way of compromise, is worse than the Bill as it stands.”

By my Amendment yesterday I at least can claim to have done my best to avoid both the devil and the deep blue sea, as the *North British Daily Mail* puts it. As, however, only these two alternatives are now left before us, I unhesitatingly prefer the deep blue sea, and shall do my utmost to support the Government in resisting this Amendment.

MR. HUNTER (Aberdeen, N.): I think the Government see that the situation has been altered by what occurred last night. The Secretary for Scotland, in asking for £60,000, had in view a carefully prepared Departmental Estimate, from which we gather that £57,000 would be required to carry out the views of the Department. As I understood the statement of the First Lord of the Treasury last night, in referring the subject to a Committee, he proposes that this Committee should deal not only with the subject for which this sum of money is provided, but should also take into account the provision for evening or continuation schools. If this is done, it must, apparently, necessitate some enlarged provision under that category. Practically, the whole of the £60,000 was absorbed by the original scheme of the Department; and if we add to that secondary education a provision for evening or continuation schools, it would be almost indispensable to make some additional provision for it. There is another point with which I did not

trouble the First Lord last night, but it comes in one of the Amendments which is down for to-day, and I invite his most careful attention to this question. I dare say he has not left it altogether out of consideration; but I am not sure that he is in possession of the very strong views which prevail widely—indeed I may almost say universally—amongst the bulk of the voters. In the scheme which is proposed by the Government—which I do not criticise at this moment—provision is made for reducing the fees; but no provision at all is made, or at all events very little and totally inadequate provision is made, to meet what I consider to be the great weakness of our system of secondary education in Scotland. Some years ago, at the Grammar School at Aberdeen, the fee was 10s. 6d. per quarter, which came to a total of two guineas a year. That was considered a very high fee, and in the county schools, where the education was quite as good in many respects, much lower fees were charged. Since that time a very great change has taken place in Scotland in consequence of the raising of the standard of the Universities, which has necessitated a more prolonged period of training and a better training in the secondary schools. At the time of which I speak it was quite possible for a working man, if he were in good employment and if he were a careful man, to send his boys to the Grammar School. But now that is altered, and I do not know what the fees are; but probably they are 30s. a quarter and perhaps more, for the fees have been quadrupled since the time of which I speak. And what has been going on in Aberdeen has been going on all over Scotland. The result is that the old connection which existed to a large extent in Scotland between the poorest class and the higher education—the link which connected these two has been broken, and very properly broken, in the interests of education, and a more expensive and prolonged education prevails in the secondary schools. That can be met in one way, and in one way alone, in justice to the interests of education, in justice to the large bulk of the people of Scotland, in justice to the Universities, and in justice to the working man. This way

is not by lowering the fees where fees ought properly to be charged. I do not think that fees ought to be made too low. I think where a fee is charged that fee should be approximately, if not entirely, a full charge for the value of the seat. With regard to the middle-class schools, there is no occasion for any appeal on their behalf. I believe the parents of the children attending those schools are able and willing to pay the necessary amount; but what is required and what is urgent is that those parents who are not in a position to pay the fees at all, and who, moreover, are not in a position to afford to keep their children in idleness, should have some assistance. This is a most material item. There are, undoubtedly, two classes of poor people. There are some parents who, if they were relieved from the payment of the fees, might meet the other expenses, and there is a class still poorer who are unable to do without the wages which their children can earn when they are at work. If we are going to put our secondary education in Scotland, I will not say on an entirely satisfactory, but on a tolerably satisfactory basis, it is absolutely essential that there should be a very large expenditure for exhibitions, and these exhibitions must be given for merit and for merit alone, and should be given to the boys from the State-aided schools. I contend for the State-aided schools in this matter, and for those schools where poor boys attend, and I say that the exhibitions should be given as a result of competition. Now, how much would that require? I take it that on the average for these two classes of parents—those for whom fees were paid, and those who received a grant for maintenance—you could hardly pay less than £10 a year. That is a very low sum, and if we had 5,000 boys and girls—because we ought to include girls in this provision so far as education is applicable to them—the cost would be about £50,000; and I venture to put it to the Government whether, in taking the money which is allotted to us, they could not take over £50,000 in addition to the £60,000, in order to provide not only for the continuation schools, but also an ample margin for bursaries? Suppose this

*Mr. Hunter*

Committee, when it comes to inquire into this subject, finds that any proposals put forward are fatally hampered by the absence of exhibitions and bursaries, what will they do? I believe you cannot make a proper or satisfactory system of secondary education in Scotland unless you get the poor boys into the schools. If the Committee finds that that is so, what position will you be in when you have only £60,000 to work with? The reasonable thing is to take precautions, and take a larger sum of money, if it should be found on examination that the sum you have taken is not enough. The money would not be lost, nor would it be thrown away. It is at your own disposal, and might be applied to other purposes. What I would suggest is whether it would not be possible to cut this discussion short by adopting this view? Instead of limiting the 1st clause to £60,000, to put in £110,000, and put in such words as these, "That so much of the money as would not be required under this sub-section should be disposed of later on." That would give you elasticity. That is to say, if the Committee, having examined the question, found it necessary to go as far as £110,000, they would have the money; but if it were not necessary to go so far, the Memorandum you lay before the House provides for a less sum, and the balance would be distributed in a manner you can settle in the Bill. That, I think, is a fair offer to make to the Government; and if the Government would adopt it, it clearly would meet the views of my hon. Friend, and would enable us to dispose of this difficult branch of the Bill.

(3.21.) MR. MUNRO-FERGUSON (Leith, &c.): My hon. Friend has raised the point in a very practical way. He has pointed out how, in consequence of the proposals laid before the House, we shall have in various ways to provide for fresh contingencies. I think the original proposal from the Education Department is inadequate, but there is one point to which attention has not yet been drawn. Very little provision is made in the Draft Memorandum for secondary education in the country districts. The burgh schools are to get the

bulk of the money, and about £15,000 is given to the other schools. In the course of the discussion last night it became apparent that a portion of this £15,000 is to be given to schools in Glasgow, and after a sum has been set aside for inspection it is evident that a very small proportion even of this £15,000 will be available for secondary education in the country. One of the duties of any Departmental Committee which inquires into the subject will be to ascertain how secondary education can be provided for in the country districts; and I venture to prophesy that a much larger sum will be required to meet the requirements of the country districts than seems to have been considered necessary in the Memorandum from Dover House. My hon. Friend proposes to meet this increased expenditure by applying to education the money which it is proposed to give to Parochial Boards. I think that would be a very fair proposal. I suppose the poorest Parochial Boards, and those which have the greatest difficulty in getting in their money, are the Boards in the Highland districts; but the Highlands have lately had a special grant for educational purposes, and in many Highland districts education can be conducted with little or no burden on the rates. In the manufacturing districts the times have not been bad, and the number of poor children has been somewhat diminished, and I do not think any special case can be made out at present for giving any assistance to Parochial Boards. I can imagine cases where the burdens of the Parochial Boards may have been very severe; but such cases do not exist now, and I think the Government may very fairly apply the money they propose to give to these Parochial Boards to the purposes of secondary education. This would take a considerable sum of money, and I trust the Government will see its way to give us a larger sum than they now propose.

\*(3.25.) MR. SHAW-STEWART (Renfrew, E.): I am afraid the events of to-day will rather discourage the Government in making concessions, because it seems that the concessions of last night form the ground, in the opinion of some hon. Members, for an

enlarged discussion on subsequent Amendments. It appears to me that hon. Members do not quite realise that all public bodies in Scotland, or nearly all, are anxious that this Bill should pass as it stands now. The hon. Member who has just sat down sees no reason why the Parochial Boards should have their share of this money; but he forgets that the charge for pauper lunatics is a very heavy one. There are those who sit on this side of the House who have thought that this Bill, being the equivalent of a grant to England in aid of the rates, should give the money solely in aid of the rates in Scotland. But the Government have given way on that point and have assigned a certain portion of the money for education. They have met the wishes of Gentlemen on the other side with regard to the disposal of that money, and have gone further and indicated their willingness to allow the County and Town Councils a free hand with regard to the allocation of their share of the money. Now, seeing that the public bodies of Scotland desire the Bill as it stands, and that the Government have done their best to meet the reasonable wishes of Gentlemen opposite, I do hope this discussion will not be long continued.

(3.29.) MR. PARKER SMITH (Lanark, Partick): It is clear to me that more money will be needed for the purpose of secondary education. It seems to me that the Memorandum before us cuts matters very fine, and is a very sanguine estimate as to the amount of expenditure which can be got out of a limit of £60,000. This discussion has rendered it abundantly clear that more money will be needed, and I think more money should be provided. The hon. Member for East Renfrew has stated that the public bodies in Scotland are in favour of this Bill as it stands; but if an Amendment were made by which the money was taken from the Parochial Boards and given to any other purpose, I do not think any other public bodies except the Parochial Boards would be opposed to the change. I have put down another Amendment with regard to this money, but I regard that as the second best Amendment.

If the Government will not accept the proposal, which I regard as most important, to give the whole of the £50,000 for secondary education, I hope they will be prepared to consider the Amendment I have put down for dividing the money between secondary education, the Universities, and Town and County Councils. There is another ground on which I think the £50,000 will be wanted for secondary education. The Committee is to consider the Welsh precedent; one important part of that precedent is the power the counties have of rating themselves to the extent of a halfpenny in the pound; and I trust there will be enthusiasm enough created in Scotland to lead the counties to rate themselves, especially if, as in Wales, each pound provided out of the rates is met by another pound out of the Treasury. A halfpenny rate in Scotland produces exactly £50,000, and if the Welsh precedent is adopted, that sum might be used with great advantage as reproductive expenditure, leading not only to the expenditure of the £50,000, but double that amount by encouraging the levying of rates in all the counties of Scotland. My hon. Friend the hon. Member for South Lanark (Mr. Hozier) promises the Government the support of all the Conservative and Liberal Unionist Scotch Members; but I should like to wait to see the Division List before being so certain.

(3.32.) THE FIRST LORD OF THE TREASURY (Mr. A. J. BALFOUR, Manchester, E.): Certainly, on behalf of the Government, I do not feel that we have any right to complain that the question of altering the allocation of the money should be raised this afternoon, even after the compromise last night. I distinctly understood from the right hon. Member for the Stirling Burghs (Mr. Campbell-Bannerman), who spoke on behalf of hon. Gentlemen on that side, that though it was, so to speak, guaranteed that the Bill should get through this afternoon, it was also understood that this and certain other questions should be raised, discussed, and voted upon. I must, however, make one mild protest against a certain line of argument adopted by all the speakers. I do not propose to argue whether this £60,000 is the exact amount which should be carried out of

the £265,000 for the purposes of education. It is possible to make an ingenious and powerful speech either for or against any possible arrangement or re-arrangement of the money at our disposal. One argument, however, ought not to be pressed, and I think it has been pressed. We have been told that the result of having this Committee will be that much more money will be required for the scheme than would be required had the Scotch Education Department been allowed to manage their own affairs, and to frame a scheme as seemed best to them. As the Committee knows, I should have preferred leaving this matter to the Education Department; but, in order to meet the wishes of hon. Gentlemen who said that the £60,000 would be wasted or not spent to the best advantage, I consented to the Departmental Committee. But the fact that that concession has been made ought not to be turned against the Government and used as an argument for giving more funds on the ground that the Committee will recommend a more costly scheme than that sketched out in the Minute before the Committee. I rise simply to say that, whatever the view hon. Gentlemen may have on the subject, the appointment of the Committee ought not to be used to press us to place more money at the disposal of the Committee. The Government, as the Committee will have anticipated, feel obliged to adhere to the general distribution of the fund sketched out in the Bill, which distribution has no direct connection with the Departmental Memorandum which was the subject of discussion yesterday, and we shall feel ourselves bound to vote against the Amendment of the hon. Gentleman. I understand that in my absence the hon. Member for Aberdeen asked a question as to whether it was the intention of the Government to introduce words into the Bill embodying that part of the compromise which had to do with the formation of the Committee. I should have thought, on the whole, that that was not expedient, because what will be entrusted to the Committee will be the framing of material out of which an Educational Minute will have to be constructed, and that is an operation which will be com-

*Mr. Parker Smith*

pleted, I suppose, within the next few weeks. I do not see the object of introducing into the Bill, which is to be of a permanent character, the elements of an arrangement which must be of a temporary character. I think the Committee will understand that that would mean the introduction of words which would lose all their meaning and significance when the Committee had concluded its labours; and, therefore, I think, on the whole, it would not be advisable to put these words in the Bill.

\*(3.37.) MR. STEPHEN WILKIAMSON (Kilmarnock, &c.): I will be no party to oversetting the agreement substantially arrived at last night, and I have a variety of objections to this proposal. The hon. Member for East Aberdeenshire (Mr. Esslemont) spoke of having a secondary school within three miles of every child in Scotland. Such a scheme as that is as impracticable as it is unwise, and £110,000 would go little further in the direction of securing such a desideratum than the proposal in the Bill. My idea is that this Departmental Committee will have enough to do in formulating a scheme for the use of the £60,000. Let that sum be wisely spent, and it will form the basis, possibly, of a larger scheme afterwards. I think it is a waste of time to discuss the difference between £60,000 and £110,000, and I shall vote for the Bill as it stands.

\*(3.40.) MR. BUCHANAN (Edinburgh, W.): I cannot agree that it would be waste of time to discuss what part of this money should be given to secondary education. I think the First Lord of the Treasury rather strained the argument we are using when he said that we urged the appointment of the Committee as a reason for giving more money to secondary education. I understood the result of last night to be that the scheme of the Department and of the sub-section of the Bill was one of secondary education, practically by grants, and to show that the scheme and the money provided would hardly be sufficient to carry out that scheme, and that, therefore, much less was the money enough to carry out an enlarged scheme; and it was decided that a Departmental

Committee should sit and consider a better scheme of secondary education, and not one so limited as the one before us. We should be very much disappointed if a Minute were drawn up contemplating assisting secondary education by fee grants only. That was last night generally condemned as inadequate, and I and other hon. Members have put down Amendments expressing that view. The Bill contemplates taking out of the £60,000 the sum expended on the inspection of higher schools. We at present get a portion of that sum under the Estimates, and we think this new sum of £60,000 should not be encroached upon, and the Estimates saved by means of it. I would strongly urge on the Government that we expect from the Report of the Committee a much wider scheme of secondary education—wider in its substance than that before us. We shall not be content, and it is absurd to imagine that the public of Scotland will be content when they are told that the new system of secondary education to be inaugurated is to be based on, and limited to, grants in aid of the fees. It was in view of the pressure put on the Government that they agreed that the scope of the scheme should be further extended. I expected to see on the Paper words embodying the compromise. I should like to know if we are expected to pass this sub-section in its present form, because I think there would be considerable objection to that from the fact that it would limit the consideration of the Committee to a system of grants and the cost of inspection of higher schools, the general decision being that such a system would be wholly inadequate to the wants of Scotland.

(3.45.) MR. CALDWELL (Glasgow, St. Rollox): It seems to be assumed on the other side that this Bill deals with the whole subject of secondary education in Scotland. Secondary education is at present subsidised by the rates in Scotland and by Imperial grants. In England you have elementary education, but in the Scotch Act the term "elementary" does not occur. From time immemorial, and by the terms of the Scotch Education Act, every parish school is bound to have secondary education at the top of its



instruction, and the ordinary Board school in every Highland parish is qualified to send students to the Universities. That is the case in Glasgow and throughout Scotland, and pupils are sent, at the expense of the rates and the Imperial grants, from the Board schools to the Universities. The system introduced by the Bill is a mere offshoot, and will not tend to extend the secondary education which is bound to be provided by the parish. You cannot have secondary education in Scotland except in the ordinary parish schools; the country is too sparsely populated to have secondary schools, as proposed, in certain districts. The Scotch Education Department has let down the secondary education in the parish schools, and the consequence is that the enthusiasm of the teachers has fallen off, and the attendance at the Universities is decreasing. Your scheme will ruin secondary education, as you propose to take it out of the parish schools and to have certain district schools. If there were secondary education at the top of the curriculum of the parish schools, the elementary education would be better, as the teacher would work with a view to the higher grade; but by taking away the secondary education you lower the enthusiasm of the teacher and the tone of the school. You may have your district schools, but you will not have them equipped. What do you hold out to the School Boards to induce them to have a secondary department in the ordinary Board schools?

THE CHAIRMAN: I think the hon. Member will see that he is straying away from the point of the Debate.

MR. CALDWELL: Very well, Sir; I will say a word with regard to Parochial Boards. Is it right that they should not get any portion of this money? Notwithstanding all that has been said to the contrary, the Parochial Boards in Scotland are well-managed Boards, and yet they do not get within £30,000 or £40,000 of what they would get if they received the proportion of subsidy which is given to English Parochial Boards. But there is another point. The franchise in Scotland, as in other places, is dependent upon the payment of the poor rate, so that

if you give a subsidy to the Parochial Boards, you would thereby, by enabling the rates to be lowered, put it in the power of many persons to pay their rates who otherwise could not do so, and thus put them in a position to exercise the franchise. That is a very serious item in the Highland parishes, where the parochial rate is very considerable, and the non-payment disfranchises so many people. Then there is the fact that the rates of the Parochial Boards are paid by precisely the same parties who pay other rates, so that by relieving the rates of the Parochial Boards you are practically subsidising the county ratepayers. There is, therefore, no reason why, in distributing a large sum of money like this, you should select one Rating Authority only in a county or a parish. A portion of it ought to be appropriated for the purpose of relieving the poor rate, and if that were done, the general ratepayers would be in precisely the same position as if one body got the whole of the money.

\*(3.53.) MR. ANSTRUTHER (St. Andrews, &c.): Having followed the course of the Debate last night very attentively, I cannot agree that the concession of a Departmental Committee made by the First Lord of the Treasury in any way warranted the assumption that such a Committee would have power to recommend schemes involving expenditure larger than that proposed by the Bill. I agree very much with the remarks of the hon. Member for South Lanarkshire (Mr. Hozier), and I know I am stating a fact when I say that a very large number of bodies in Scotland hold strongly the view that the whole of this sum should be applied in relief of local rates. At the same time I accept with readiness the concession that the Government has made in providing that a certain sum shall be applied to educational objects, more particularly to the objects of secondary education. I should like to make a suggestion to the Lord Advocate, which might, perhaps, be taken into consideration by the Departmental Committee when it comes to deal with the Memorandum. It has been brought to my notice by those interested in certain endowed schools, concerning which it remains to be seen whether

*Mr. Caldwell*

they will come under the scheme or not by reason of their constitution, that the fairer arrangement of the grant in aid of secondary education would be, by extending it to every pupil in a secondary school rather than making it conditional on certain limitations. I do not intend to go into any detail, but I merely wish to throw out that suggestion, which I hope the Committee will keep before them. We have no warrant for supposing that power will be given to the suggested Departmental Committee to enlarge the sum mentioned in this clause, and for that reason I hope the Committee will now decide that the sum to be granted towards secondary education shall be that mentioned in the Bill and no more.

\*MR. MARK J. STEWART (Kirkcudbright): I should like to point out that the proposal to grant £60,000 for secondary education is a tentative measure. Although the hon. Member maintains that we have already a system of secondary education in Scotland, yet that system is practically not in operation. This is a very important point to recollect, because if you are going to grant a large sum of money for secondary education you ought to show that you have a large number of pupils wishing to avail themselves of it, and that is not the case. The people of Scotland have to a large extent got into the habit of sending their children early in life to labour or industrial pursuits, so that they do not continue at school in the same way as in the past. If we can induce people to let their children take advantage of secondary education by cheapening the means of getting it, we shall have made a good beginning. I am satisfied that the Government will do well in holding firm to this Bill, and not relinquishing one iota of it. They have made considerable concessions which I am glad of, but I do hope they will go no further.

MR. CAMPBELL-BANNERMAN (Stirling, &c.): The point we are discussing is one of great importance, but it is not one of great width for the purpose of discussion, and I venture to say that we have all made up our minds on which side we are going to vote. I would, therefore, appeal to my hon. Friends whether we might not divide on

this question, as to whether the £60,000 should not be increased to £100,000. The right hon. Gentleman the Leader of the House has complained that some of my hon. Friends have employed the concession of a Departmental Committee as a weapon in support of this extended grant. I suppose the Committee would recommend something larger than is contemplated in the Memorandum that has been issued by the Department. When a Committee is appointed to inquire into the question of a larger scheme of Secondary Education in Scotland, I think you naturally contemplate something a little beyond that with which you are dealing, and so I think we are justified in discussing this matter from that point of view. Well, as I have already remarked, I do not think there is much more to be said on this simple question as to whether the £60,000 is enough, and I suggest we should now divide.

MR. SINCLAIR (Falkirk, &c.): I should like an explanation from the Lord Advocate with reference to a question that must arise in connection with the practical working out of this scheme. Naturally, it is supposed that there will be a large number of new scholars drafted into the schools under this Secondary Education Bill. That involves of necessity, in many cases, if not in all, new buildings, and in other cases re-organisation of old buildings. What provision is made for all this? And again, even in those schools which already have suitable buildings, what provision is made for the equipment and necessary apparatus of teaching which will be required? It seems to me these are questions which should be asked and answered before we go to a Division.

(4.5.) Question put.

The Committee divided:—Ayes 180; Noes 123.—(Div. List, No. 100.)

(4.19.) MR. CRAWFORD (Lanark, N.E.): I beg to move the next Amendment which stands in my name, namely—in page 2, line 9, to leave out “secondary” and insert “intermediate.” In doing so I feel indeed very strongly the obligation to consult brevity, so as to limit the discussion in conformity with the arrangement come to last night, and in which the Government

have now gone a considerable distance to meet us. This Amendment, I need hardly tell the Lord Advocate, is to be taken in connection with the definition of the word "intermediate" which I propose further down—namely, that "intermediate education" should mean secondary education and technical education. Now, the object of this Amendment is to meet the requirements of needy country districts such as I represent—constituencies such as mine, in which no secondary schools exist, and perhaps are not likely to be established—and in such districts where, through being of a purely mining or industrial character, the intermediate education between the common schools and the University, assuming they were to go so far, which is required would be obviously rather of a technical kind than of what is usually understood by a secondary kind. The definition of secondary education which I have taken is the one which exists in the Scotch Education Act of 1872; and from that Act it has been borrowed, and put almost verbatim into the Welsh Education Act of 1889. Now, I think it would be a great pity if this money, which is proposed to be given to advanced education beyond the common standard, should not be applicable to technical education where that is the principal want of the district; and I am fortified in that view by the fact that at present the County Councils have a sum of £48,000—doubtless not a very large sum—at their disposal, which they are to apply all over Scotland for technical education. A considerable inclination has been displayed in the County Councils of Scotland to devote the whole of that sum to that purpose; but they are hampered very much by the smallness of the sum, and by having no machinery at their disposal to administer it. Now if the line between secondary and technical education were removed, undoubtedly these sums, already available for technical education, would flow into the same purse as the sum which the Bill proposes to confer. I think these considerations are extremely obvious in themselves. I do not think anything I can say would be likely to make them clearer. It is natural for the Department in distributing this money to leave out the subject which does not

happen to be under their control; but I think I have shown to the Committee that the actual circumstances of the case show that these two subjects should not be separated. I have received the very strongest representations from gentlemen deeply interested in the operation of advanced education in the counties, from members of County Councils and Chairmen of School Boards who take a very active interest in this subject, and they tell me if there is to be any hope for the useful application of this money to advanced education in these poor districts, the legal separation of technical and secondary education would be absolutely fatal. There is nothing in this proposal, so far as I can see, to interfere with the scheme of the Bill, or to affect the compromise arrived at last night, and I trust the Government will see their way to accept it.

Amendment proposed, in page 2, line 9, to leave out the word "secondary," and insert the word "intermediate."—(*Mr. Crawford.*)

Question proposed, "That the word 'secondary' stand part of the Clause."

\*(4.23.) MR. HOZIER: I hope the Government will see their way to accept the Amendment now proposed by my hon. Friend, or the Amendment of the hon. Member for Aberdeenshire, or the Amendment of the hon. Member for Forfarshire. They all mean the same thing. I earnestly trust the Government will see their way to accept some such Amendment as this, because I do think that if the rural districts are to get any benefit whatever from this grant to secondary education, it is most likely to be got in the direction of having lecturers going about from place to place, lecturing on agricultural subjects such as dairy work, agricultural chemistry, and so on, and also having lecturers going about lecturing on mining subjects in the mining districts.

\*(4.25.) THE LORD ADVOCATE (Sir C. J. PEARSON, Edinburgh and St. Andrews Universities): I do not think any fault can be found with the definition which the hon. Member suggests, so that "intermediate education" should include both secondary and technical education. But the very fact that a

*Mr. Crawford*



word is required to be imported for the first time into Scotch educational matters reminds one of the fact that hitherto technical and secondary education, strictly so called, have proceeded in Scotland on different lines. I think it is natural that it should be so, and I hope the hon. Gentleman will at this particular moment be satisfied with the assurance that I am now about to give. The Bill as it now stands, with the Amendment which I propose to add later on in consequence of the compromise arrived at last night, does not exclude aid in furtherance of the promotion of technical education. But I do protest strongly against the idea that it would be an improvement in the Bill that technical education should be brought in under this subsection which we are now considering. It appears to me that secondary education should be allowed to proceed and develop mainly on the lines on which it has hitherto gone in Scotland, and that there would be very considerable inconvenience in bringing in technical education in the narrow sense of technical instruction, and setting it side by side with secondary education, properly so called. The hon. Gentleman has reminded us that Town and County Councils are in receipt of annual grants under a recent Act of Parliament which they have under their control to distribute in that direction. As we know, a good many both of Burgh and County Councils have done good work in that distribution; and they will have the power under the provisions of this Bill, as amended, to contribute in aid of the furtherance of technical education properly so-called out of the money which they will get under what I may describe as the Residue Clause. In consideration of that fact I think that the main objection of the hon. Member that this Bill does nothing to further technical education falls to the ground. There is also another matter which must be kept in view—namely, that while secondary education properly so-called is in the main very much of the same kind in all quarters of the country, yet technical education very largely varies with the localities; and that being so, there is, it appears to me, an appropriateness in leaving that department of education very

much as regards initiation and furtherance, in the hands of Town and County Councils who have had a start in that direction under recent legislation.

(4.29.) MR. BRYCE: There is one observation which fell from the Lord Advocate on which I wish to make a remark. With regard to technical and secondary education, he says that technical education is strictly local in its character. I do not think he is justified in assuming that this £60,000 will not be applied by Local Authorities.

SIR C. J. PEARSON: The Local Authorities I have referred to are those Parliament entrusted with the distribution of the sum available for technical education.

MR. BRYCE: That is exactly what I am coming to. The argument in favour of Local Authorities such as County Councils and Town Councils is equally true with regard to School Boards. School Boards are also Local Authorities, and there is no reason why the distribution of money appropriated for special purposes, such as technical education, should not be entrusted to School Boards equally with County Councils, or Town Councils. Therefore, I fail to see why a sharp line should be drawn between these Local Bodies. The School Board of Glasgow is just as well qualified to make distribution of this money as the County Council of Lanarkshire. The Lord Advocate says the County Council will have the power, under the Amendment which he proposes to make part of the Bill, to apply any part of the sum coming to them for the purposes of technical education. We welcome that Amendment from him, and we are very glad that he sees his way to recognise the claims of technical education. But I want to point out to him that at present the powers of the County Council affecting technical education are very largely interfered with and restricted, and made to a considerable extent inoperative, by the fact that there is no proper machinery for carrying them into effect. What is wanted is that the County Council shall have the power to give the money either to the School Board, or to some other Local Authority, or else that it shall have the power to invent machinery for itself. The main contention of the hon. Mover of this Amendment and of those

interested in technical education is this : that you cannot divorce technical education from secondary education, and if you want to benefit technical education you must supply the County Council with machinery by which it can be carried out, and the School Boards ought to co-operate. I, therefore, appeal to the right hon. Gentleman to see if he can give the machinery by which the County Council can use the money for technical education.

(4.32.) MR. ESSLEMONT : As this Amendment embodies the object sought by the one standing lower down on the Paper in my name, it will not be necessary to move the other Amendment if the decision is taken upon this. I have heard with great disappointment the announcement of the Lord Advocate that he is not going to accept this most reasonable Amendment. We have been trying to point out that you are going to confine the benefits of this £60,000 more to existing secondary schools, which are less needed, than to technical instruction throughout the counties, and you are really depriving us in the counties of any opportunity we might have of taking advantage of this for all useful purposes. The Member for South Aberdeen has said that it is impossible to dissociate secondary and technical education in the counties and smaller burghs. What we want is only liberty under this clause, and under the Definition Clause, to take them up together in the counties, and I hope the Lord Advocate will reconsider this matter. I think it is a concession he can make without the slightest injury to any of the parties concerned. I can see no interest that will be served by leaving out the word, but I can foresee a very great disadvantage in working the Act if the word is not accepted.

(4.35.) MR. LENG (Dundee) : I think it is much to be regretted that so hard-and-fast a line is to be drawn. I represent a city which is comparatively rich in these endowments for secondary education. The Lord Provost informed me yesterday that there was actually more money for secondary education than can at present be advantageously applied. But now Dundee is a large manufacturing city, and we have great need for further development of technical

education ; and although the citizens have most intelligently encouraged the establishment of technical education institutions, they are insufficient to meet the demand for technical instruction, and it would be of very great service if the authorities had power to apply such sums as may be awarded to the city I represent in this direction. If, however, a hard-and-fast line is laid down—if you say, “ We will only apply it to secondary education,” then you are sending money to an object which is really not requiring it, and depriving us of it for a purpose for which it would be beneficial. I would re-enforce the appeal to the Lord Advocate to allow more elasticity in the matter.

(4.37.) MR. PARKER SMITH : I have very great difficulty in supporting this present Amendment to change the word, because I think secondary education fully wants the £60,000. But what I do feel is most desirable in this Bill is that the control of secondary and technical education should be put into the same hands. Therefore, it seems to me—especially if we have in view that the Town and County Councils are to spend part of their money, if they please, on technical education, and as we know they are prepared to spend a large part of that residue grant upon technical education—most desirable that it shall be made use of so that the two sets of expenditure should go together, should be under the same control and in the same hands. I wish the Lord Advocate could see his way to accept this Amendment, not with the view of spreading the £50,000 out thinner, but of giving those who will have control of this money also the control over that devoted to technical education.

(4.38.) DR. CLARK (Caithness) : The very first day that the right hon. Gentleman introduced the Bill he was asked what he meant by secondary education, and he then took the hard-and-fast line, that by secondary education he practically meant classical education—

SIR C. J. PEARSON : I assure the hon. Member I said nothing of the sort.

DR. CLARK : When the right hon. Gentleman introduced the Bill I asked whether secondary education would embrace technical education, and he

said he thought it would not. Since then he has persistently refused to look upon technical education as a branch of secondary education. I look upon this as the most important question to-day before the Committee. It will be remembered that last year, when we moved an Amendment to the Scotch Clause, which came before the English one, the Government absolutely refused to meet our desires, and on a division the English Members outvoted us, and prevented the Scotch Councils using the money for technical education. When the English Clause came on they had changed their minds, and the Amendment was accepted permitting a portion of the money to be used for technical education. On the Report stage the Scotch County Councils received the same power as the English, but when they got the money for the purposes of technical education there was no machinery. For some time we have been trying to get technical education in Scotland and in other parts of the Kingdom, because so far as that branch of education is concerned we are far behind other countries. Take the condition of things in Germany. A boy goes to a primary school, then he can go to a secondary school. But you have two classes of secondary schools in Germany; you have got the classical schools and the scientific schools. Boys, if they want to enter commerce or trade, go to the scientific schools, where they get scientific teaching as a basis, and then go to the technical schools. By that means you have got German workers and German manufacturers in a better position to fight us in the markets of the world. Now we think something might be done to get us back that which we have lost in consequence of our education becoming a branch of the English Education Department. We have been dragged down to the English level. I think something should be done to organise technical education. In Ireland, £10,000 is spent by the Imperial Parliament in promoting agricultural education, and surely this money we are now dealing with ought to be used for the purpose of making the most that could be made of our young men. A Commission has been sitting during the present Parliament, and we have

been considering their proposals. These proposals take the money left for the education of the poor in Scotland, and give it to large middle-class educational establishments. That money ought to have been used for the technical education of the children of the poor, but a Commission appointed by a Liberal Government has given it to the rich. Some of us feared that the same thing would have occurred so far as this £60,000 is concerned, but I hope when this Departmental Committee sits they will recommend to the Government a course much more advanced and liberal than is suggested by their present scheme, and that this money may be used in organising intermediate education in Scotland, and in developing, on the old Scotch lines, the parochial schools, so that they may be made more useful.

(4.45.) MR. MUNRO-FERGUSON: If it is difficult to draw a line between secondary education and technical education in towns, it will be found more difficult to draw a line between the two kinds of education in the country. In the country districts technical education would form a larger proportion of the advanced education than would be the case in towns, and if the country districts are to have a fair share of attention under the Secondary Education Scheme it will be by giving full encouragement to the development of technical education in these districts. I see no objection to introducing the word "intermediate," simply because it is a new word. If intermediate education had been considered in all its bearings the shortcomings of the Memorandum of the Education Department would not have been so apparent, and I think the Government will be acting wisely if they adopt the suggestion that has been made. The Lord Advocate referred to the grant which the County Councils could already dispose of in support of technical education. That grant is an extremely small one. The County of Ross-shire, which is one of the largest in Scotland, with a scattered population, gets a grant of £500, and not only is the grant so small and insignificant in reference to the work that has to be done, but the difficulty of expend-

ing that money is very great because of the restrictions upon the actions of the County Council. I do not think that can be quoted as any argument against the Amendment.

(4.47.) MR. SINCLAIR: I thoroughly sympathise with the opinion expressed by the hon. Member for the Partick Division when he said this £60,000 was little enough. It is too little for secondary education alone, but there are places that want no more, but want a great deal for technical education, and there are other places where the means available ought to be divided between the two, some for the one and some for the other, and there are other places where secondary education alone ought to be considered. It does seem to me the administration of these funds ought to be placed in the same hands, and I trust we shall, before we go to a Division, have some assurance from the Lord Advocate that we shall have the two funds administered in the same way by some machinery which would be introduced afterwards in the Bill.

\*(4.49.) SIR C. J. PEARSON: Perhaps I may say a word in answer to the appeal of the hon. Member who has just sat down. I would remind the hon. Member that there has been for several years in Scotland an Act under which it is optional for School Boards to provide for technical education. That has been done very sparsely. That Act has been very little used. The case, therefore, stands thus:—At the present moment there is a certain power given by Parliament to the Local Bodies, to whom I have referred as being authorised to distribute the small amount under the Act of 1890, to divert in that direction money given primarily in the relief of rates. It is still in the power of the School Boards to make provision for technical education under the Act of 1887; but, following the lines of the Act of 1890, the result would be that these bodies would have the distribution not merely of the small and no doubt inadequate amount under the Act of 1890, but of the entire amount under what I might call the Residue Clause of this section. That being the precise position, I am unable to give way in this matter.

MR. SINCLAIR: May I ask whether the sum that is given under the residue

grant can be administered by the Local Boards?

\*SIR C. J. PEARSON: It would be in the discretion of Town or County Councils to distribute it, as they have the power to do under the Act of 1890.

Question put.

(4.55.) The House divided:—Ayes 197; Noes 136.—(Div. List, No. 101.)

MR. CRAWFORD: The next Amendment which stands in my name refers to the distribution of money and to the compromise which I understand was arrived at last night between the First Lord of the Treasury and a right hon. Gentleman on this side.

MR. A. J. BALFOUR: The view which I think is generally entertained by all parties on this subject is that we should not introduce into the Bill any more binding words than those which are there already. Sub-section 1, as the hon. Member knows, leaves great latitude with the Scotch Education Department for the distribution of the money. The Scotch Education Department has to frame a Minute under which the money will be distributed; and for the purpose of preparing that Minute the head of the Department will have associated with him four other gentlemen to form a Departmental Committee. That was, I think, the idea yesterday.

MR. CRAWFORD: I think there was a general impression that the arrangement which was come to would be carried out by some change in the structure of the Bill on this point. For my own part, I feel that if the arrangement is thoroughly carried out, it may not be absolutely necessary to change the Bill.

MR. CAMPBELL-BANNERMAN: Though it may not actually be necessary to insert a provision relative to this Committee, I hope the right hon. Gentleman will favourably regard any proposal to make the words as they stand in the Bill less binding instead of more binding. I will just mention that in one section there are the words "in making grants." That is, I believe, the technical wording. "Making provision" would, I think, be better. I also wish to know whether the words "Minutes of the Department submitted to Parliament" mean that they shall lie on the



Table of Parliament, and not go into force until Parliament has approved them?

MR. A. J. BALFOUR: That, I understand, is the meaning of them.

DR. CLARK: I beg to move that sub-section (a) of Section 1 be not—

THE CHAIRMAN: There is an Amendment of which the hon. Member for Edinburgh (Mr. Buchanan) has given notice.

\*MR. BUCHANAN: I beg to move, in page 2, line 12, to leave out from "defraying," to "and," in line 15. I should like to draw attention to sub-section (a). To that sub-section I have two objections: The first is, that it makes a prior claim that this money is to be spent on the inspection of higher class schools. I do not think that should come in the first place. My second objection is, that there is already a sum voted in the Estimates for the inspection of these schools. I do not agree that the Government ought to relieve itself, out of this £60,000, of an obligation which has been in the Estimates since the year 1885. That is the ground upon which I put down the Motion to omit this sub-section. I move the first Amendment which stands in my name.

Amendment proposed, in page 2, line 12, to leave out from the word "defraying," to the word "and," in line 15.—(*Mr. Buchanan.*)

Question proposed, "That the words proposed to be left out stand part of the Clause."

DR. CLARK: I should like to know the reason of this change, and how much money it is estimated will be required to meet it. It is already defrayed in the Vote, and the object of this sub-section (a) is already carried out in our Estimates.

\*MR. C. S. PARKER: I think it is a very fair remark that as a sum is already on the Estimates we should not take the whole of the cost out of the £60,000. I am, however, aware that the sum hitherto on the Estimates has been very inadequate, and especially for conducting these examinations for leaving certificates. Knowing this, I think it marvellous that the Department has been able to conduct the examinations as well as it has done on so small a sum. I agree that more

money is required, but I think we might maintain upon the Estimates the amount Parliament has hitherto granted. Perhaps that condition would be met by substituting "towards defraying the cost" for "defraying the cost." I want also to know whether, in parting with this Bill, we shall part with all power to make modifications such as require legislation? It is quite clear that if this Departmental Committee is to have a free mind to consider alternatives such as that just withdrawn, such alternatives cannot be rendered operative except by Act of Parliament. The simplest way would be to have an understanding that, if any such legislation is required, a Bill for the purpose shall be brought in later, in order that it may pass this Session.

MR. A. J. BALFOUR: The hon. Gentleman has asked me whether anything we are now doing would limit the power of Parliament to deal with such recommendations as the Committee to be constituted under our promise of yesterday may make.

\*MR. C. S. PARKER: We could not limit the power, but I ask whether there is any intention on the part of the Government, if such a scheme as that withdrawn is approved by the Committee, to give effect to it by legislation?

MR. A. J. BALFOUR: I do not think it would be competent for the Government to pledge themselves to bring in legislation to carry out the recommendations of the Committee—recommendations of which there is at present no notice at all, and of which we cannot form an idea. But, of course, it is always our desire to promote the interests of education; and if legislation will do that, and without controversy, of course we shall be glad to do it. With regard to the question more immediately before us—Sub-section (a)—I would advise the Committee not to make any modification, and I think I can meet the objections of the hon. Member for Edinburgh and the hon. Member for Caithness. They appear to think, and not unnaturally, that this sub-section is intended to relieve Parliament from an obligation which is embraced in the annual Votes—to provide a sum for dealing with the inspection and examination of these schools.

That is not the case. We propose to continue the Vote every year in precisely the same amount as in past years. But that Vote—£300—is not annually enough to meet the cost of inspection, which is about £2,000 per year. I think I have got the figures correctly. The difference between the £300 and the £2,000 is made up by contributions from the schools, or from the pupils; but in either case it is a burden the institution or individual can ill afford to bear. I think, after that explanation, the House will think this object is in itself so worthy that it will allow it to remain in the Bill.

\*MR. BUCHANAN: We are indebted to the right hon. Gentleman for stating that the grant will still continue. I willingly accept his assurance, and ask leave to withdraw the Amendment.

Amendment, by leave, withdrawn.

\*MR. BUCHANAN: I will now move the other Amendment which stands in my name, substituting in page 2, line 16, the word "provision" instead of "grants."

Amendment agreed to.

(5.20.) MR. BRYCE: I propose, as an Amendment, to which the Government have agreed, to add the following words after "schools," in page 2, line 17:—

"Being schools wholly or partially under public management and control."

Amendment agreed to.

(5.22.) MR. JOHN WILSON (Lanark, Govan): I beg to move in page 2, line 19, to leave out sub-section 2. I desire to say that I move this Amendment without the slightest hostility to Scotch Universities. I think that this money, which is practically Scotch money, the Universities have no claim to, inasmuch as, according to the Treaty of Union, the Universities are entitled to be subsidised out of the Imperial funds, to the extent of their requirements. There is no one who believes more than I do in the benefits conferred by our Scotch Universities. They are recognised all over the world as institutions of learning second to none. At the same time, I hold that this £30,000, which in this Bill it is proposed to give to them, should be otherwise disposed of. I do not know in what way the Government intend this money

shall be applied. If it is given in a lump sum to the Universities I fear this House will have but little control over it. On the other hand, if there were indications that the fees of those who attend the Universities were to be reduced on account of this grant something might be said in favour of it. I should like to hear from the Lord Advocate in what manner this money is proposed to be applied.

Amendment proposed, in page 2, line 19, to leave out sub-section (2).—  
(Mr. John Wilson.)

Question proposed, "That the words 'In distributing a sum' stand part of the Clause."

(5.27.) MR. PARKER SMITH: I have on the Paper an Amendment of exactly the contrary tendency to this, but I do not intend to move it, because, the Government having announced their determination of sticking to the mode of distributing the money as stated in the Bill, I do not think it worth while to put the House to the trouble of a Division. I do not think anyone would be found to grudge the Universities the money. My hon. Friend says that the money required by them should come from somewhere else. The Scottish Universities have claims on the national funds which are inadequately recognised at present. The fact, however, of this £30,000 being given now out of purely Scottish funds in no way prejudices the claims of the Universities upon the funds of the Treasury at some future time. I do not think £30,000 will be found enough for the needs of these institutions in view of the new Ordinances. But I do not see how the amount can be stretched at the present time, and no one with the interests of the Universities at heart would care to let drop £30,000, which is practically a bird in the hand, in order to prosecute claims under the Treaty of Union upon the hard heart of the Secretary to the Treasury. Therefore, I think Scotch opinion in general will be perfectly content to let this sum stand.

(5.32.) DR. FARQUHARSON (Aberdeenshire, W.): The hon. Member for Govan (Mr. Wilson) says he objects to giving the Universities this money because he wants the people of Scotland to have the entire benefit of

it. I cannot see any way by which the people of Scotland can get more benefit from it than by granting it to the Universities, which are doing a grand educational and democratic work for the Scotch people. We know the Scotch Universities are poor, and will be poorer in future, because the Ordinances of the Commissioners will cut down some of the emoluments, and competition is also making headway. A greater strain will, before long, be thrown on the resources of these Universities, partly on account of the Ordinances which will compel new Chairs to be established, partly on account of the pension fund which grows more serious year by year, and partly because the teaching of the future—which will be of a more technical character—will require more elaborate appliances in the way of museums and laboratories, and these will have to be maintained out of the funds of the Universities. I am sorry that my hon. Friend (Mr. Parker Smith) does not intend to move his Amendment, because I consider £30,000 is too small a sum when divided between four Universities, and I think £50,000 would be a more appropriate amount. As he is not going to move his Amendment, I will not move the Amendment standing in my name. I hope, however, that the Government will stick to their guns in this matter, and that the Committee will vote in favour of this grant.

\*(5.35.) SIR LYON PLAYFAIR (Leeds, S.): As I was one of the former University Commissioners for Scotland, I know by experience how difficult it is to bring up the Universities in Scotland to a line with those in England. Formerly Scotland was in advance of England in relation to many modern subjects, but lately it has fallen behind, and the English Universities have improved their teaching and the variety of their degrees. The Scotch Universities are unable to do that because they have not enough money; and if you take away the monopoly of arts—by extending the selection of subjects for degrees—you take so largely away from the fees of existing Professors that they will be unable to continue to furnish education. The reason why this £30,000 is given to the Scotch Universities is to enable

the Commissioners largely to open up the teaching of the Universities so as to adapt it to modern times; and if the hon. Member (Mr. John Wilson), who represents a district which has done so much for popular education, knew that the money was to be given for that purpose, and not for increasing salaries, but purely for the purpose of putting these Universities on a level with the Universities in England, he would not oppose this grant.

(5.37.) DR. CLARK (Caithness): I do not think that Parliament ought to be asked to vote money unless we know how it is going to be spent. We have heard something on the subject from one University Commissioner, and I see another Commissioner present from whom I should also like to hear what is to be done with this money. At present we do not know what this money is for. It may be for increase in the salaries of the professors, or for new buildings, for new Chairs, or for bursaries, but whatever it is for, I think that from the Government, or from a Member of the Committee, we are entitled to some information, and then we may consider whether we will grant the money or not. I feel very strongly inclined on the grounds urged by the Member for Govan, to vote against this proposal, and when I bring to the recollection of the Committee the causes that have produced this Bill, I hope it will be seen that there is force in the opposition. We have been complaining of the inadequate grant given to Scotland, in comparison with England and Ireland, for local purposes, and the Chancellor of the Exchequer proposed to give us the Probate Duty, and it was understood that all local grants were then to be taken off the Paper. But that has not been carried out so far as England is concerned. There are still local objects in England for which we vote money, but all that has been taken away from Scotland. We have been using our money for educational purposes, and now we are asked to use Scotch money not for local but for Imperial purposes. It is not more than three or four years ago—it was in 1889—that an Act was passed by the Chancellor of the Exchequer, called the University of Scotland Act, 1889, discharging all claims on public money so far as the

Universities are concerned, in consideration of a sum of £42,000. That means that from the Union until 1889, the Scotch Universities were maintained by the Government in accordance with the articles of the Union, but then the demands of the Scotch Universities for additional new buildings alarmed the Treasury, who determined to stop that kind of thing, and so brought in this Bill to which I have referred, and by which for £42,000, this House and Scotland were to give a full discharge to the Treasury. I voted against that proposal, and you, Mr. Courtney, took the extreme course at that time of refusing to put some of my Amendments. At one time Scotland had only one more Member than the County of Cornwall, and we could not help ourselves. The policy of the Chancellor of the Exchequer in repudiating an honest obligation, and giving us this miserable £42,000 in lieu, comes out again in a new form in this proposal. I protested against and repudiated the fraud on the Scotch people and the Scotch Members in giving us this money in full discharge, and I say that the honourable obligation remains, and I hope that the Government will not compel us to be bound by this decision. Then, again, ought the maintenance of Universities to be a local or an Imperial question? If, since the Union, the policy had been to defray all the costs of the Universities from local sources, something might perhaps have been said, but at present all the costs that are required, and everything necessary for the University of London, are defrayed by Parliament. Parliament runs the University of London as if it were an adventure school—it takes all the fees, and pays all the costs, and in order to attract students to that University there are scholarships and degrees. All these expenses are defrayed out of public money, and the maintenance of this University is the care of Imperial, and not of local, funds. The same thing practically occurs in Ireland, for in the case of each of the three Queen's Colleges, there is a grant in augmentation of the salaries of the Professors. Then there is a grant of £15,000 to the New Victoria University, and a grant of £12,000 to the Welsh College. So far as Ireland, Wales, and England are con-

*Dr. Clark*

cerned, the policy of subsidising and supporting the Universities has been carried out since the Union, and hence I repudiate, as far as I possibly can, this attempt on the part of the Government, for a paltry sum of £42,000, to get rid of the obligation they incurred under the Union. Just now the University of Aberdeen requires new buildings, and I do not know whether the money required for that purpose will have to come out of this grant, or whether we shall get it from the Treasury, who do not seem very willing to part with it. I think the Government ought to withdraw this part of the Bill altogether, and they ought to consider the question of putting upon the Imperial Estimates what is required for the maintenance of the Scotch Universities, and for keeping them in accordance with the development of education on a level with the English Universities. If it were impossible for us to get money from the proper source, we might, perhaps, consider using our own local money, but I do not see why we should do that until it is perfectly clear that this Government, or the next Government, will not carry out an honest obligation and will get rid of it in the mean and dishonourable way that I have alleged this Government has tried to do.

\*(5.46.) MR. J. A. CAMPBELL (Glasgow and Aberdeen Universities): I have pleasure in acknowledging the manner in which the merits of the Scottish Universities have been referred to by everyone who has spoken, and even the hon. Member who has just sat down (Dr. Clark) has not said anything against them. The question before the Committee is whether this provision in the Bill is a proper one. The hon. Member for Govan (Mr. J. Wilson) thinks it is not, but although I agree with him that under the Treaty of Union there is a strong obligation on the part of the Imperial Exchequer to see to the interests of the Scottish Universities, yet I must say it is an obligation which can only be put in operation from time to time with some degree of difficulty and delay; and in the meantime, while these Universities are in need of assistance, we have here a provision which meets the case, and is, in my humble belief, a very proper provision. It is said that this is Scotch money, but here is



a purpose that is of general interest to Scotchmen, and for that reason I shall support the grant of £30,000 to the Scottish Universities. It may seem a little unusual for anyone to decline a larger grant for any purpose in which he has some interest, but I must say that, if we went to a Division on the Amendment of the hon. Member for Partick (Mr. Parker Smith), I should not support him in his proposal to increase the amount. I am too anxious to see the Bill passed to make any difficulty with regard to the distribution of the money, and I would say that, considering the whole circumstances, a grant of £30,000 to the Scottish Universities is a very fair one. The question has been asked, "What is to be done with this money?" This money is required for carrying out the provisions of the Universities Act of 1889, by which very large additional charges were thrown upon the Universities, and a scheme of great extension was opened out which will entail large additional expenditure. The Commissioners reported to the Government some time ago how inadequate were the funds placed at their disposal by the Act, and it is in answer to their representations that this additional grant is proposed. The hon. Member for Caithness (Dr. Clark) has questioned the whole conduct of the Government in connection with the Universities, and has complained that the annual grant of £42,000 provided in the Universities Act of 1889 is stated in the Estimates to be a full discharge of all claims on public money. But a reference is made in the Estimates to the Act of Parliament, and in the Act there is an explanation of that expression. The £42,000 was in lieu of what had been spent on the average upon the Universities for annual charges for a certain number of years, with such addition as the Government consented to make. And this £42,000, which included an addition to what had been annually spent on the Universities, was given in lieu of all claims, past and present, at that time. There were claims then running upon the Exchequer, and it was in satisfaction of these that this money was given. It by no means covered all claims for the future for annual wants. Grants for buildings were never included

in these annual charges, and neither the grant of £42,000 under the Act nor the proposed new grant of £30,000 has anything to do with buildings. To show that that is so, I may state that an application was recently made from the University of Aberdeen to the Chancellor of the Exchequer for a grant for additional buildings, and, if the House approve of it, we are to receive an instalment towards a total grant of £40,000 from the Exchequer provided there be a local subscription of like amount. The hon. Member for Caithness (Dr. Clark) is either mistaken, or has expressed himself in such a way as to leave the Committee under a wrong impression, with regard to what is done in the case of the University of London. He said the Exchequer takes the whole burden of the University of London, applying the fees towards defraying it. The result of that arrangement, however, is that last year the expenditure on the University by the Treasury, in the first instance, was £15,480, but the fees received amounted to £15,200, so that the whole burden on the Imperial funds was less than £300.

MR. A. J. BALFOUR: I beg respectfully to remind the Committee that somewhat less than an hour remains for the completion of this stage of the Bill. All present are aware that a pledge of very binding character was entered into last night that it should be concluded at this Sitting. There are still questions of some interest to be disposed of, and I would very respectfully press on the Committee the necessity of advancing as rapidly as possible.

(5.48.) MR. CALDWELL: I do not desire to detain the Committee, but it is an important question whether the Universities should get the £30,000, and whether it should be Scotch or Imperial money. It was well-known that the scheme of the Commissioners would involve more than the £42,000 in the Act, and the Chancellor of the Exchequer gave an undertaking during the passage of the Bill that more money would be given out of the Imperial Purse if the Ordinances of the University Commissioners showed that more was required; and the hon. Member for the Glasgow University (Mr. J. A. Campbell) admits that the claims of the University for further funds were in no

way discharged by the £42,000. I hope my hon. Friend will go to a Division as a protest on the part of Scotch Members that this £30,000 ought to come from the Exchequer and ought not to be introduced, as the thin end of the wedge, to attempt to settle the burden of the Universities on the localities in future.

(5.55.) Question put.

The Committee divided:—Ayes 236; Noes 104.—(Div. List, No. 102.)

(6.10.) MR. ROBERTSON (Dundee): I beg to move, as an Amendment, in page 2, line 23, at end to add—

“To take effect after a Resolution approving of the same has been passed by the House of Commons.”

Though this Amendment raises rather a large question, as I have no desire to detain the House, I shall confine myself to a very few moments. I call the attention of the Committee to this: Under the Bill, as proposed, the ordinances made by these Commissioners must be submitted to Parliament. The principle, as I said before, is that in these matters we should make the grant dependent not upon the joint vote of both Houses, but upon the vote of this House alone. I believe there may be a constitutional question of some difficulty here. I believe this is a Money Bill. This Bill originated in the House of Commons; and what the House of Lords can do with a Money Bill, if once it gets there, is more than I can say. There is a sort of impression abroad here that the House of Lords ought not to amend a clause in a Money Bill. If, instead of leaving the matter to the University Commissioners, we should dispose of it ourselves by a clause in the Bill, I take it that the House of Lords would not be doing right in either amending or rejecting that clause. In other words, the House of Lords have no power to amend a Bill of this kind. By leaving it to the University Commissioners, and by leaving the House of Lords a direct veto on the ordinance of the Commissioners, it seems to me that by a side wind we are giving the House of Lords power which constitutionally it ought not to have. I daresay the Government are not disposed to consider the

possibility of accepting this Amendment. It is in deference to the conciliatory spirit shown by the First Lord of the Treasury last night that I refrain from dealing with the question with that scope which I think the importance of the question demands. But I put this distinct point and suggestion as a protest against the lassitude with which the pretensions of the House of Lords are now received on this side of the House. I believe the time is come when we must make a stand against anything like co-ordinate authority between the two Houses. For my part, I am tired of going about the country and demanding the abolition of the House of Lords. I am not satisfied to repeat the jingling phrase, “You must mend it or end it,” and then come to the House of Commons and calmly see the most extreme pretensions put forward on behalf of the House of Lords without any protest.

Amendment proposed,

In page 2, line 23, at end, to add, “to take effect after a resolution approving of the same has been passed by the House of Commons.”—(Mr. Robertson.)

Question proposed, “That those words be there added.”

\*(6.16.) SIR C. J. PEARSON: I hope the hon. and learned Member will not press his Amendment to a Division. A scheme has only recently been laid down by Parliament for the guidance of the Commissioners, and for giving effect to their ordinances. The effect of this Amendment would be to alter the Rule which has been so long in force with respect to both Houses of Parliament.

(6.17.) MR. CRAWFORD: I do not often appear very favourable to the House of Lords, but I think a far stronger case could be made against that establishment than was contained in the remarks which the hon. Member just offered to the House. The proposal to treat this money which is to be administered by the University Commission, of which I have the honour to be one, in a different way from the rest of the money under their control is not merely an inconvenient proposition, but it suggests what is an act of impossibility. We cannot separate the £30,000 from the rest of the money which we have to administer.

*Mr. Caldwell*

(6.19.) MR. HUNTER: I think this is an Amendment which, under other circumstances, ought to be pressed on the Government. I had no confidence in the University Commissioners; and, after seeing their ordinances, I have still less confidence in them. I think my hon. and learned Friend should withdraw his Amendment.

(6.20.) DR. CLARK: If this Amendment is carried it will compel the Government to have these questions discussed before twelve o'clock, because these ordinances will not become law until they are sanctioned by the House of Commons. For this practical reason, as well as for the very weighty ones of my hon. Friend, I trust he will take a Division.

(6.21.) MR. ROBERTSON: I should like to say that when I ventured to put this Amendment on the Paper I had entirely forgotten the fact that my hon. Friend the Member for Lanarkshire was a Member of the University Commission. Had I remembered that, I would not have proposed this devolution of his duties. I shall agree to the suggestion of my hon. Friend, and ask leave to withdraw the Amendment.

Amendment, by leave, withdrawn.

(6.23.) MR. PHILIPPS (Lanark, Mid): In moving the Amendment which stands in my name, I shall be as brief as possible. Sub-section 3 purports to give the sum of £25,000 to the Parochial Boards for the maintenance of pauper lunatics, but the Parochial Boards are obliged to apply the rates for their maintenance; and, therefore, if you give them the £25,000, you will only be giving it in relief of rates. Now, the rates are paid half by the occupiers and half by the owners, and, therefore, by this sub-section it is proposed to give £12,500 directly to the owners in relief of rates. And as it is now recognised by everybody that the relief of rates benefits not the occupier, but the owner, you are giving a further sum of £12,500 indirectly to the owners of Scotland. I object strongly to raising money by general taxation—by the taxation of industry—and to devote that money to alleviating the burdens that now fall upon land in any shape. I am pledged to my constituents, if, and when, possible, to increase the proportion of the taxation of the

country that is paid by the landlords. Therefore, I feel it is my duty to take every opportunity of not, at any rate, decreasing the burdens falling upon landlords at the expense of the industrial community.

Amendment proposed, in page 2, line 24, to leave out sub-section 3.—*(Mr. Philipps.)*

Question proposed, "That sub-section 3 stand part of the Clause."

(6.24.) DR. CLARK: This is the first of two Amendments which, I trust, may be carried in the form of a compromise, because I take it that all the rest of this money will now go to the Town and County Councils; and that the balance, if it does not go to the Parochial Boards, will be equalised by them. So far as the rate-payers are concerned, probably it is a matter of six and half a dozen whether it is a reduction of rates through the Parochial Board or through the Town and County Councils. The only difference is that if the whole of the money goes to the Town and County Councils, under this modified form, then it will not all go to the landlords; if it goes in its present form, the bulk of the money will be paid not by the landlords, but will come from the taxation of industry. The effect of the Bill will be to at once place £37,500 in the pockets of the landlords, because they pay one-half the rates. That will increase the value of their property, and even the Chancellor of the Exchequer, when he wrote about this matter, protested against these hereditary charges upon the landlord being taken off him, although he may have changed his mind since then. I think this will be a sort of compromise that, instead of giving it to the Parochial Boards you give it to the County and Town Councils, when it will be used for other and more useful purposes.

(6.28.) MR. A. J. BALFOUR: The Government have not intervened in this matter at an earlier stage because they desired to carry out the agreement that was entered into last night for shortening the discussion. This Amendment opens up a gigantic question, and I do not suppose that it is expected that we should enter upon a discussion of it now. We do not agree with the view expressed as to the

theory of taxation, and we must adhere, as far as we can, to the lines of the distribution of the money which have already been laid down. That being so, we cannot accept the Amendment.

(6.30.) DR. HUNTER: I should submit to the Government that this is the point where the compromise should begin. Why should not the whole of the £75,000 go to the Town Councils and the County Councils? So far as the ratepayers in the counties are concerned, it is absolutely immaterial whether you give it to the County Councils or to the Parochial Boards, because, both in the case of the County Councils and the Parochial Boards, the rates are paid half by the owner and half by the occupier; and, therefore, so far as the relief of the rates is concerned, it is absolutely immaterial whether you give it to the one or to the other. If you are desirous to give them the opportunity of using this money for any wise public purpose, then you will give it to the County Council. If you are determined that this money shall be misappropriated—misappropriated for the relief of the landlords—then, no doubt, you will adhere to the provisions of the Bill. This is a question of great importance, and I hope my hon. Friend will take the sense of the House upon it.

Question put.

(6.30.) The Committee divided:—Ayes 230; Noes 108.—(Div. List, No. 103.)

MR. ESSLEMONT: The discussion has turned somewhat on the same subject as my amendment concerns. I think there was some excuse for giving £25,000 for pauper lunatics, because in Scotland we are in this respect differently treated to England. But the relief to the ratepayers should take the form of an extra shilling per head of pauper lunatics, putting us in the same position with England. The reason which induced many Members to vote for the previous amendment was the expectation that there would be better treatment for the pauper lunatics if sent to asylums than under the administration of the Parochial Boards. But as regards Sub-section 4, the question resolves itself into a contribution from the poorer to the

richer part of the community, that is to say, it is a relief to the landlords. If Sub-section 4 were omitted, the effect of the clause would be that we should have £50,000 to give to Town Councils and County Councils, and after the concessions made by the Government this amount could be distributed for any good purpose required in the neighbourhood.

MR. HUNTER: I ask your ruling, Sir, on a point of order. Am I right in my opinion that a decision on a motion to omit a Sub-section precludes an amendment being proposed to this Sub-section? I have an Amendment to propose the omission of the words "Parochial Boards in Scotland."

THE CHAIRMAN: The question will be put in a form to preserve the possibility of such an Amendment if there is a desire to move it.

Amendment proposed, in page 2, line 31, to leave out sub-section 4.—(Mr. Esslemont).

Question, "That the words 'In distributing the sum of £50,000,' stand part of the Clause," put, and agreed to.

MR. HUNTER: I now move the omission of the Reference to Parochial Boards, in order to follow that up by a subsequent Amendment to provide for the introduction of the authority of County Councils, Town Councils, and Police Commissioners of Burghs in Scotland.

MR. ESSLEMONT: I rise to order, Sir. My Motion was to omit Sub-section 4.

THE CHAIRMAN: The hon. Member for Aberdeen intimated his intention to move an Amendment altering the words "Parochial Boards." Consequently in putting the Question I did so in the form "That 'in distributing the sum of £50,000,' stand part of the Clause." The Committee affirmed that Question, the words stand, and now the hon. Member for Aberdeen moves his Amendment.

MR. HUNTER: It is a question of the substitution of County Councils for Parochial Boards, and upon that question I should think the Government would be prepared to meet us without any further argument.

It being ten minutes before Seven of the clock, the Chairman left the Chair to make his report to the House.

*Mr. A. J. Balfour*



Committee report Progress; to sit again upon Thursday.

**ROADS AND BRIDGES (SCOTLAND) ACTS AMENDMENT BILL [Lords].**

(No. 232.) THIRD READING.

Order for Third Reading read.

MR. CAMPBELL-BANNERMAN (Stirling, &c.): I move the Motion of which I have given notice. I need not explain it, for I think it has an object with which we all agree.

Motion made, and Question proposed, "That the Order be discharged. That the Bill be re-committed." — (Mr. Campbell-Bannerman.)

Motion agreed to.

Order discharged.

Bill re-committed in respect of a new Clause.

Ordered: That it be an Instruction to the Committee on Roads and Bridges (Scotland) Acts Amendment (re-committed) Bill, that they have power to provide for the protection from injury, on the part of road authorities, of certain lands on the ground of public interest. — (Mr. Campbell-Bannerman.)

Bill considered in Committee.

(In the Committee.)

New Clause—

(Preservation of lands from injury.)

"Notwithstanding anything contained in section eighty of the Act first and second William the Fourth, chapter forty-three, as incorporated in 'The Roads and Bridges (Scotland) Act, 1878' the exemption from the general right of searching for, digging, and carrying away materials, as made in the said section eighty, shall be extended to such land or grounds as it may appear to the Secretary for Scotland, on the application of the proprietor thereof, desirable to preserve intact on the ground of national or public interest or historical association," — (Mr. Campbell-Bannerman.)

—brought up, and read the first time.

Motion made, and Question proposed, "That the Clause be now read a second time."

MR. ESSLEMONT: May I point out to the Lord Advocate that as the Bill left the House of Lords there was a clause providing for the construction of new bridges. Then doubts arose as to the imposition of new taxation by this means; but these doubts being resolved it was expected that the clause would pass unopposed in Committee, but to the great surprise of my consti-

tuents this, which they consider a most important clause, has no place in the Bill. So far as we know, there is no objection to the clause, which, as the Bill is re-committed, I hope the Lord Advocate will agree to have restored.

THE CHAIRMAN: The hon. Member is not speaking to the Motion for the new clause.

(6.55.) MR. MORTON: I think we had better report Progress. I do not see why the Government should rush the Business when Scotch Members evidently have matters to discuss.

MR. ANGUS SUTHERLAND: I hope the hon. Member will not make such a Motion. This is not really a Government Bill, and it has the concurrence of all Scotch Members.

MR. ESSLEMONT: I only intended a few words of explanation with the hope of receiving an assurance from the Lord Advocate satisfactory to my constituents.

MR. MORTON: Under the circumstances I do not press a Motion to report Progress; but I hope that similar consideration will be extended to me in reference to a measure in which I may be interested.

Motion agreed to.

Clause read a second time, and added to the Bill.

Motion made, and Question proposed, "That the Bill be reported as amended."

MR. ESSLEMONT: I hope the Lord Advocate will now make some statement.

\*SIR C. J. PEARSON: I can only say that it was considered the question of building new bridges was foreign to the main object of the Bill, and that there was general agreement to the alteration of the clause.

Motion agreed to.

Bill reported with an Amendment; as amended, to be considered upon Thursday.

**WEIGHTS AND MEASURES (PURCHASE) BILL.—(No. 257.)**

THIRD READING.

Order for Third Reading read.

Objection taken.

\*THE PRESIDENT OF THE BOARD OF TRADE (Sir M. HICKS BEACH,

Bristol, W.): I hope objection will be waived. There can be no objection to the principle of the Bill, and I may mention that I have had urgent representations from the West Riding of Yorkshire that the County Council are anxious to acquire the authority the Bill would give.

DR. CLARK : The right hon. Gentleman agreed to consider a clause extending the Bill to Scotland and Ireland. Taking the Bill now offers no chance of proposing that.

MR. MORTON : I do not want to stand in the way, but I hope in withdrawing my objection I may expect similar courtesy when I want a matter considered.

MR. MAC NEILL (Donegal, S.): I object on the ground that the Bill does not extend to Ireland.

Third Reading deferred till Thursday.

#### ELECTRIC LIGHTING PROVISIONAL ORDERS (No. 1) BILL.—(No. 271.)

Read a second time, and committed.

#### ELECTRIC LIGHTING PROVISIONAL ORDERS (No. 2) BILL.—(No. 272.)

Read a second time, and committed.

#### ELECTRIC LIGHTING PROVISIONAL ORDERS (No. 3) BILL.—(No. 273.)

Read a second time, and committed.

#### SUPERANNUATION ACTS AMENDMENT (No. 2) BILL.—(No. 275.)

Considered in Committee.

(In the Committee.)

Clause 1.

Committee report Progress; to sit again upon Thursday.

#### SUNDERLAND'S CHARITY BILL. (No. 296.)

Read a second time, and committed for to-morrow.

#### MERCHANT SHIPPING ACTS AMENDMENT BILL.—(No. 229.)

Considered in Committee, and reported; as amended, to be printed [Bill 318]; re-committed for Thursday.

*Sir M. Hicks Beach*

### MOTIONS.

#### LAND DRAINAGE PROVISIONAL ORDER (MORTON FEN) BILL.

On Motion of Mr. Chaplin, Bill to confirm a Provisional Order under "The Land Drainage Act, 1861," relating to Morton Fen, in the parish of Morton, in the county of Lincoln, ordered to be brought in by Mr. Chaplin and Sir John Gorst.

Bill presented, and read first time. [Bill 314.]

#### LOCAL GOVERNMENT (IRELAND) PROVISIONAL ORDERS (NO. 6) BILL.

On Motion of The Attorney General for Ireland, Bill to confirm two Provisional Orders made by the Local Government Board for Ireland under "The Public Health (Ireland) Act, 1878," relating to the towns of Dundalk and Bangor, ordered to be brought in by The Attorney General for Ireland and Mr. Jackson.

Bill presented, and read first time. [Bill 315.]

#### MARGARINE ACT (1877) AMENDMENT BILL.

On Motion of Mr. Flavin, Bill to amend "The Margarine Act, 1887," ordered to be brought in by Mr. Flavin, Mr. Maurice Healy, Mr. William Abraham (Limerick), and Sir Thomas Esmonde.

Bill presented, and read first time. [Bill 316.]

#### PAUPER LABOUR DISQUALIFICATION REMOVAL BILL.

On Motion of Sir Wilfrid Lawson, Bill to remove the disqualification from voting at Parliamentary and other elections of persons who have been employed on labour by Guardians of the Poor, ordered to be brought in by Sir Wilfrid Lawson, Sir Horace Davey, Mr. Fenwick, Mr. Allison, and Mr. Theodore Fry.

Bill presented, and read first time. [Bill 317.]

### BUSINESS OF THE HOUSE.

THE FIRST LORD OF THE TREASURY (Mr. A. J. BALFOUR, Manchester, E.): I promised to state what business would be taken on Thursday. The Budget proposals will not then be taken. The first Order on that day will be the Evidence in Criminal Cases Bill, and the second Order will be the Bill with which we have been occupied this afternoon.

### EVENING SITTING.

Notice taken, that 40 Members were not present; House counted, and 40 Members not being present,

House adjourned at five minutes after Nine o'clock.

## HOUSE OF COMMONS,

*Wednesday, 4th May, 1892.*

Mr. SPEAKER was in his place soon after Twelve o'clock, but not until half-past Twelve o'clock, and after attention had been called to the number of Members present, was a quorum formed.

## SELECTION (STANDING COMMITTEES).

Sir JOHN MOWBRAY reported from the Committee of Selection; That they had added Mr. Webster to the Standing Committee on Trade (including Agriculture and Fishing), Shipping, and Manufactures.

Sir JOHN MOWBRAY further reported from the Committee; That they had discharged Mr. Thomas Ellis from the Standing Committee on Trade (including Agriculture and Fishing), Shipping, and Manufacture, and had appointed in substitution Mr. Randell.

Sir JOHN MOWBRAY further reported from the Committee; That they had discharged Mr. Samuel Hoare from the Standing Committee on Law, and Courts of Justice, and Legal Procedure, and had appointed in substitution Mr. Sydney Gedge.

Sir JOHN MOWBRAY further reported from the Committee; That they had added to the Standing Committee on Law, and Courts of Justice, and Legal Procedure, the following fifteen Members in respect of the Clergy Discipline (Immorality) Bill [Lords], viz.: Mr. Albert Bright, Viscount Cranborne, Mr. Henry H. Fowler, Mr. W. E. Gladstone, Mr. Howell, Sir John Kennaway, Mr. Stanley Leighton, Mr. Lloyd-George, Mr. Philipps, Sir George Stokes, Mr. Talbot, Mr. David Thomas, Mr. Waddy, Sir Richard Webster, and Mr. Wharton.

Reports to lie upon the Table.

## STANDING COMMITTEES (CHAIRMEN'S PANEL) (LAW, &amp;c.)

Mr. CAMPBELL-BANNERMAN reported from the Chairmen's Panel; That they had appointed Mr. Campbell-Bannerman

to act as Chairman of the Standing Committee for the consideration of Bills relating to Law, and Courts of Justice, and Legal Procedure.

Report to lie upon the Table.

EASTBOURNE IMPROVEMENT ACT  
(1885) AMENDMENT BILL.

Reported from the Select Committee.

Minutes of Proceedings to be printed.  
[No. 164.]

Report to lie upon the Table, and to be printed.

## MESSAGE FROM THE LORDS.

That they do propose that the Joint Committee on Statute Law Revision do meet in Committee Room B, on Wednesday the 11th May, at Twelve o'clock.

Lords Message considered.

Ordered, That the Select Committee appointed by this House to join with a Committee of the Lords on Statute Law Revision, do meet in Committee Room B, on Wednesday the 11th May, at Twelve o'clock, as proposed by The Lords.—(*Mr. Whitmore.*)

Message to The Lords to acquaint them herewith.

## ORDERS OF THE DAY.

LOCAL AUTHORITIES (PURCHASE  
OF LAND) BILL.—(No. 33.)

## SECOND READING.

Order for Second Reading read.

\*(12.40.) Mr. HALDANE (Haddington): I think the House will agree that, having regard to the shortness of the time at the disposal of private Members, speeches on a Wednesday should not be longer than necessary. Therefore, I will proceed without preface to lay before the House the somewhat complicated provisions of the measure for Land Law reform I have to present. The Bill aims at the accomplishment of two purposes. In the first place, it seeks to provide Councils for counties and boroughs, now thoroughly representative bodies, with powers for the compulsory acquisition of such land as is necessary in the interest of the population they represent.

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In the second place, the Bill seeks to deal with the problem of unearned increment, a problem which has interested many statesmen and economists for years gone by. Land in this country stands in a different position from any other form of property. In the whole of it society is interested; in some of it, that which is in the occupation of those congested portions of our population which are drawn into our towns and cities, society is deeply and vitally interested. This land, called for brevity urban land, is essential for the existence and life of the urban community, and it is in view of this that we feel some change must be made in the existing condition of the law. You have created these Local Bodies, you have made them representative of the inhabitants of the locality, yet you have not provided them with the power which of all powers is the most important to them—the power of acquiring and controlling the land which is necessary for the existence of the inhabitants whom they represent. Well, Sir, as things stand at present, a whole city may be at the mercy of a single individual. Land is, after all, a monopoly; it is something which cannot be provided but in a definite and specific form. It is not like money or any other form of property, one portion of which may do as well as another. This particular portion of land, and no other, is essential for the purpose of the people to be benefited. Under this condition of things, it seems to some of us right that you should provide the Local Authority with such power as will enable it to acquire and control land which is necessary for the health of the people whom it represents. Now that, of course, involves compulsory purchase, or, in other words, it involves the expropriation of the present landlord. But that is no new procedure; it is one with which we are extremely familiar nowadays. We have extended it to Railway Companies in the public interest for half a century. We have had it extended by a Conservative Government for the building of artisans' dwellings under the Act of 1875. Only a year ago the right hon. Gentleman who represents the Local Government Board in this House and who has attended to the question of the housing of the working classes in so fair and so keen a spirit, that

*Mr. Haldane*

right hon. Gentleman brought forward a Bill consolidating and amplifying that power of expropriation given to the Local Authority. But even probably more familiar than that, though I doubt whether Members realise the extent to which the House has gone in the direction of expropriation—is the instance of 1882, when a Conservative ex-Lord Chancellor of immense ability, the late Lord Cairns, brought forward a Bill, which passed through Parliament, for amending the law relating to settled land. That Bill, promoted and enacted in the public interest, provided that where a man had only a subordinate and life interest in property he, for the public interest, should be enabled to turn that property, including the interest of the remainder-man, into money. This involved the principle that in the public interest the expropriation of the remainder-man may be made; that even where a person has a limited interest in it, he may be empowered to change that property into money subject only to the restriction that no portion of the value shall be taken from the person so affected. That is the principle of the Bill we propose to the House, and that is our case to be debated. We propose to give to the owners of the land which it is necessary to take in the interest of the public the pecuniary value of that land—the full pecuniary value. We say that under the provisions of this Bill, if it passes into law, there will be taken from the landowner not a single penny to which he has any legal or moral right. So much for the first purpose of the Bill. Now, as regards the second purpose, connected with unearned increment, urban land stands in a peculiar position. In the case of the land upon which the town is built, and which lies immediately around the town, there is a special increment of value which is absolutely diverse from anything else in the nature of property. It is not like the increase in value of Railway Stock, which rises and falls with the market; it is unlike the increase in value of any form of movable property; it is not even like the increase in value which takes place in land generally owing to agricultural reasons and the greater demand for land on the part of the population generally. It is a specific increase arising from this, and solely from this, that a certain piece of



land is vitally necessary in the interest of a particular community, and that a particular landowner who has the monopoly of the land has the power to dictate his own terms, and who says, "You shall not have the land except at my own price." That is the present state of things which differentiates the unearned increment in the case of urban land from the increase in any other form of property, and it is with that exceptional form of unearned increment, and that alone, we propose to deal in this Bill. It is instructive to look at the way this works. There is land around London which the people of London could, 40 years ago, purchase at the rate of £300 an acre, but the price now is from £5,000 to £10,000 an acre. What has been the cause of this increase? Certainly nothing that has been done by the owner, certainly nothing proceeding from any cause of a general nature. This growth—this enormous growth—is due to this, and this alone—the necessities of the population; and that those who represent the people have, on their behalf, to pay the owner what he chooses to ask and what it is right to give him, for the law allows him to make the demand. We cannot go back on past transactions; we cannot take the value which has accrued to the owner and which the law allows him, but we may alter the law for the future and prevent those scandals, for I can call them nothing else, which have occurred in the past from being repeated in the future. This Bill, then, is of a prospective nature altogether; it proposes nothing in the way of confiscation of increment, the title to which has already accrued. There is another view of the question. In London, in the course of the 21 years since 1870, annual ground values have increased, as distinguished from the buildings and erections on the land, by the sum of seven millions. If the people of London, so lately as 1870, had purchased the land on which their city stands, that city would be now in receipt of this enormous annual income of seven millions, which would go a great way towards the furtherance of public purposes, and certainly would have put them in a very much better position than they are in at present. When I take the period between 1870 and 1891, I do not mean the annual amount

each year—I mean the total amount. We say it has been a great error and mistake in the legislation of the past—that a Municipality such as that which represents London should not have had the power to take land and to divert into the pockets of the persons who created it, the value which has hitherto gone into the pockets of the owner. That is the aim and object of this Bill. It proposes to deal with the future, and I regret that it cannot deal with the past. I will now say a few words as to the reasons which induced us to bring it forward at the present time. Nothing is more striking than the way in which the extension of the franchise in 1885 has educated the public mind, and I might also say the minds of Members of this House, on this question. We no longer come to this House to represent individuals, however numerous and important they may be. We come here to represent the large mass of the people, and the consequence has been that the mind of the Legislature has been directed much more than formerly, to what I may call the collective, rather than the individual, interests and grievances of the people. The question about which we are now concerned is not that which relates to the diffusion of ownership, and to the breaking up of estates; but as to how the public may most effectually maintain and preserve their interests in the land. An illustration of the present position of affairs was provided in the controversy which took place the other day on the Small Holdings Bill and other Debates which took place last year, especially on the Leasehold Enfranchisement Bill. We felt that the Leasehold Enfranchisement Bill was brought forward not in the interest of society in general, but of a body of individuals, and that the effect of it would be to transfer the annual increment from one class of owners to another class who had no better right to it. We considered that, while leaseholders had grievances which ought to be redressed, that redress should come from some public body through a measure which should not give uncontrolled power to individual leaseholders.

MR. LAWSON (St. Pancras, W.): I would put in Clauses of Control.

\*MR. HALDANE: My hon. Friend says he would put in Clauses of Control,

but we feel that the time has come when a measure of land control should be brought forward on a wider basis. I will pass now to the machinery of this Bill. In order to accomplish its objects, which I have attempted to describe, Local Authorities should be enabled to purchase land in the interest of the community, and to deal with it in a perfectly free manner. Now, it has been said, in quarters of this House from which I should hardly have expected it to come, that a proposal to give compulsory powers as to land to Municipalities is objectionable, as tending to lead to jobbery. It has been our business of late years to enlarge the number of these local Representative Bodies, and to extend their powers, and I think it comes with bad grace from some hon. Members to say that they distrust the power of dealing with land which has been given to Municipalities on account of the risk of jobbery which it might involve. If there is anything which characterises the Democracy of this country it is this--that it hates and detests anything like corruption; and I think we may safely trust to the Democracy, when it comes to the election of these Local Bodies, to see that they are elected on a basis which will preclude any danger of that kind. The awakening which came to London in connection with the abolition of the late Metropolitan Board of Works, and the zeal which has been shown in the Metropolis in regard to the County Council Election, has produced a body of members for the Council as pure and free from any suspicion of jobbery as it would be possible to find throughout the length and breadth of the country, and I have no doubt that the same may be said with regard to the Municipality of Birmingham. It is unworthy, therefore, of those who believe in these Local Bodies to suggest a suspicion of jobbery in this case. They may rest assured that the people who elect these bodies will take care that the risk is very small. Now, there is nobody in this House who has more closely associated himself with municipal life than the right hon. Gentleman the Member for West Birmingham, and I confess I should have been glad if I could have seen him sitting in his place during the discussion of this question. He has been one of the

*Mr. Haldane*

pioneers in the movement for increasing the powers of our Local Bodies, but it sometimes happens that he finds himself unable to give us that support which we should like to receive from him in regard to these matters. I trust, however, that in the Division we shall have the support of hon. Members who have been associated with municipal life in the past, and who are in a position to render yeoman service in the future. I would like to point out, with regard to the machinery of this Bill, that it proposes to enable the Municipal Authority to purchase the land in the first place, and to use it in the manner it thinks best. It may be stated that injustice may arise in the case of individual owners of land, but I think that the Bill will put an effectual and thoroughgoing check on any abuses of their powers which may be contemplated by Local Authorities. Before there can be valuation of land and compulsory purchase, the authority of the Local Government Board must be obtained, for the Local Government Board must have notice and hold an inquiry, and say whether in its opinion what is being done is for the benefit of the inhabitants. If the Local Government Board sees that there is any real ground for suspicion in the case it will not sanction the proceeding. Then, again, public notice must be given of what is proposed to be done, and it will be in the power of the inhabitants concerned to draw the attention of the Department to the position of affairs. The Bill has been carefully drawn to prevent any such objections with regard to compulsory purchase. I now come to the question of unearned increment. Many propositions have been brought forward for the purpose of getting at the unearned increment. It was once proposed by Mr. Mill that there should be a general valuation of the land in the country, and that the subsequent unearned increment should be obtained by means of taxation. We do not look forward to the carrying out of any such far-reaching proposition. On the other hand, we think that a mere rating power is insufficient. I would point out that a rate for such a purpose is either a rate, or it is something more. If it is a mere rate, then it only gets a fraction of unearned increment; whilst if the whole is to be taken, then it is not a rate.

and you will be doing a very great injustice, because you draw no distinction between accrued increment and that which is to accrue after the passing of your reform. We propose in this Bill to deal only with the unearned increment which is created in the future, after the alteration of the law, and after notice has been given. We propose the adoption of what we consider is the only remedy—the remedy of purchase. By enabling the Local Authority to purchase the land you put them into the position of getting unearned increment. But it may be said that the Local Authority, such as the County Council in London, has not sufficient funds to enable it to purchase the land it requires for the purpose, and which it believes is likely to be the subject of greatly increasing value. Accordingly we provide powers of compulsory valuation. Suppose there are 100 acres of land on the confines of London which will probably go up in value, and that the County Council wishes to purchase it and to divert the stream of population in that direction. Suppose that the County Council further thinks it expedient to put the provisions of this Bill into operation. The result would be that it would have a valuation of the land, and that valuation can only take place with the consent of the Local Government Board. The valuation would take place, and it would be the duty of the arbitrator or umpire to give the owner of the land its actual value—that is, the sum that a willing buyer would give to a willing seller. The first valuation would take place on the basis of giving the owner the full market value of the land. The County Council may at any time within twenty years afterwards come forward and say—“We now require this land, and we will pay you the actual value at the time of purchase, *minus* only so much as is ascertained, upon the basis of the first valuation, to be due to the movement of population in the meantime.” The result of my inquiries has been that the problem of the valuation is much simpler than many solved in the provisions of the Lands Clauses Consolidation Act, and that men of skill would quickly make rules which would enable them to determine this matter without the slightest difficulty. They would sit as jurymen and come to a kind of approximate estimate such as pertains

to the purchase of railways, and even more difficult elements than we have to deal with on this occasion. Having arrived at that value, the County Council would be able to purchase at the capital price of the time being, *minus* so much as represented this special unearned increment accrued since the first valuation. The owner of the land would get everything he had expended in the way of improvement. For instance, he might have desired to lay out the land as building land in order to attract people there; and it would be perfectly safe immediately after the first valuation to erect his buildings, lay out the land, and bring tenants there, and so increase the value of the estate in that way, because the value of all that he had put there would be secured under the provisions of this Bill. I wish now to deal with one or two objections which will be raised. It will be said that this Bill would depreciate the value of the land. Let me first say that as regards future owners it is, of course, absurd to say that they would buy without notice that the change had been made in the law under which this special unearned increment was no longer to be appropriated by private parties. Therefore we may dismiss the case of future owners. In the case of existing owners I agree there would to some extent, but not to the whole extent alleged, be depreciation of the value of the land. It is part of my case that it ought to be so. The matter stands in this way. Anybody owning the land would be paid for it at the full market value at the time of the purchase; but assuming there was a valuation with a view to subsequent purchase, then it would be paid when the time came on the basis of what I have described as the value at the time of purchase, *minus* special unearned increment accrued in the meantime. Of course, in the minds of purchasers who were speculating in the land, that would affect the value of the land, and to that extent they would not be in a position to give as much as if the Bill had not been passed, and the law left in the same unaltered condition. But such a purchaser would get the actual capitalised value of his income to begin with, and all actual value which had accrued up to the date of the first valuation and had entered into the market value. He would get everything which would be

his as the law stood, apart from the passing of the provisions of this Bill, as at the date of the first valuation; and he would be in a position to realise that value and to sell the land, because the purchaser of the land would know that the County Council could not then take it for less. There might be a general drop all-round, because of the existence of powers of compulsory purchase, but that is what you have to face, in kind at least, in all instances of giving powers of compulsory purchase. Take the case of a man who sells during the period within which the second valuation and purchase can take place, that is, 20 years, and it is the only case which distinguishes what I am describing from what occurs under any scheme of compulsory purchase. The seller may go into the market and say—"Here is my land valued at so much; the County Council cannot take it for less, and accordingly you may take it with this certainty—you buy it knowing you get that much for it. You can develop it and lay out money upon it, and you get the value of your improvement, and you get the income in the meantime which may be largely in excess of what you would get in the shape of ordinary interest on your money. You take it with the certainty that the County Council cannot take it for less than the capitalised value of the income, and with the chance that the County Council may not purchase it for some time." What this Bill proposes to do is to give everybody who owns this kind of land exactly the same price he would have if it were ordinary land. It proposes to secure that. It is only in the case of speculative purchasers that the price could be affected. In all the other cases, in the case of people buying for occupation and objects of that kind, matters under this Bill would stand as at present. And, therefore, while I admit that the effect of the passage of this Bill must be to bring about a certain depreciation in the value of land in the hands of some existing owners, I also say that what would be affected would be merely the speculative value, and not the legitimate and ordinary value of the land, treated as upon the same footing as the other land in the country. There is another objection made to this Bill. It is said that if you are going to take the

unearned increment you ought also to compensate for what was described the other day in a Debate in this House by the hon. Member for the Stamford Division (Mr. Cust) as the undeserved decrement. It is said—"If the land goes up in value you are going to take this increment, you ought, by another provision, to pay the man if it drops in the meantime." That is founded upon a complete fallacy and misapprehension. What you do is to value the land, and in that valuation you get at the market value, and it is open to the owner of the land to sell it at the amount of the valuation. He can get his money and pocket it. If he desires to continue the ownership, he only does so because he hopes for, and takes his chance of, an increase in his income and in the value of the land, and with it the risk of drop which attends that chance. The effect of this Bill is merely to give notice that you are not going to allow this form of increment to be appropriated in the future as it has been in the past. Involved in that there is no correlative obligation to make allowance at the public expense for the diminished value. That is due to the ordinary incidents of which speculators take the risk; and if a man does not choose to realise at once, and a worse time comes to him, that is his fault and misfortune. Certainly, the population of the town or its representatives, the Local Authorities, cannot be blamed. It seems to me that is an answer to the two objections—the only two real objections—which can be made to this measure. It seems to us that this measure is one which does not involve the confiscation of a single penny to which any man has a legal or moral title. We know the law may be altered, and the only change as regards the landowner is that the law has been altered. The objections brought forward to this Bill are objections which in kind may be brought forward in precisely the same way to every Bill giving powers for compulsory purchase. Does the right hon. Gentleman opposite (Mr. Ritchie) imagine that in his Bill giving enlarged power to Local Authorities to acquire land for the purpose of artisans' dwellings he did not thereby affect the value of the land which was likely to be so taken? I venture to say that he brought about a great change in the value of certain urban properties in

*Mr. Haldane*



London, and I will go further and say that the change is one of the best things which the right hon. Gentleman has accomplished in his administration.

MR. RITCHIE: Compulsion in regard to unsanitary dwellings.

\*MR. HALDANE; In the machinery which you had established by successive Acts of Parliament you had created the theory of these unsanitary conditions, and then you gave compulsory powers to take the land to which they apply, and now you say there is a distinction between that sort of thing and what we contemplate. But we are laying our hands upon an unsanitary spot in the administration of these affairs by urban authorities, and we want to deal with it on the same principle and in the same way the right hon. Gentleman did in the case of the Housing of the Working Classes Bill. All measures for compulsory purchase must affect the value of land, but it is time we ceased to recognise that as a valid objection. I remember how in 1886, in that January Debate which has been so often referred to, the right hon. Gentleman the Minister for Agriculture denounced my hon. Friend the Member for the Bordesley Division (Mr. J. Collings) and the right hon. Member for West Birmingham (Mr. J. Chamberlain) for their proposition of compulsion at that time. He said those were the proposals of a class with predatory instincts represented by the two hon. Members. Well, there came a time when the Minister for Agriculture was working in harmony with those two Members, calling them his friends, and agreeing with them as to the principles of a measure they were bringing forward in common, and which, only the other day, they were all supporting. It seems to me that experience is not unlikely to be repeated. I dare say we shall have a speech from the Minister for Agriculture denouncing this Bill as confiscation and robbery, and I shall attach as much importance to that speech as I attached to the speech on that January afternoon in 1886. Years will pass, perhaps it will take two or three or more, but the time will come when this Bill, which I am now bringing forward, will, in principle at all events, be advocated from the Benches opposite. Do you think as the franchise is still further extended,

and as the people begin to feel more and more the power you put into their hands, that they will tolerate a state of things under which value, properly theirs, and which ought therefore to go into their pockets, is to go into the pockets of a few monopolist landlords who have no more right to it than I have? It appears to me that the Bill we are introducing from this side of the House is a Bill of really Conservative policy—it is a Bill which seeks to give effect to the tendencies of our time, and to recognise the new views of Land Law reform which have been forced upon us as a result of the wider franchise which now obtains. We who sit here are, after all, the people's men of business, and it is our duty to be responsive to their opinions. There was, a few years ago, great agitation on the subject of the land. There came to this country a gentleman of great oratorical ability, who went through the land rather in the character of a preacher than in any other guise, and he preached the doctrine of the iniquity of private ownership of land, and the doctrine of expropriation without compensation. I bring forward this Bill, not because I agree with Mr. Henry George, but because I disagree with him. If you are to stop the agitation which then began, and which, it seems, has been acquiring force ever since, something must be done. The mind of the people is awakened on this subject; and I think in this connection we owe something to Mr. George instead of having a grudge against him. He has made the people see that the time has come when something must be done; and what we seek in this Bill is to do that something, not in the unjust form he proposed, but in a just form. And we feel that in the proposition we are laying before the House we are taking that step. I do not say that this Bill deals with the whole land question, or even with more than a small part, but I do say that it seeks to grapple with a real grievance, perhaps the most important the people have. In seeking to deal with that grievance, we seek to deal with it by altered law for the future, avoiding those doctrines of confiscation which have been talked about so much and denounced so often, but the true significance of which has not, I think, been understood. Our business is to disengage the nature of the real diffi-

culty, and to find a remedy for it. It is not in any revolutionary spirit that I bring forward this Bill. It is with a desire to grapple with a grievance, a most real and substantial one, in a way which is consistent with justice, and it is in that spirit that I venture to commend this Bill to the favour of the House.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. Haldane.*)

(1.27.) MR. BAUMANN (Camberwell, Peckham): I shall move, Sir, that this Bill be read a second time this day six months, and in doing so I must say that if this Bill had been moved by anybody but my hon. and learned Friend the Member for Haddington (Mr. Haldane), and if it were not to be seconded, as I understand it is, by the hon. and learned Member for Fife (Mr. Asquith), I should have regarded the Bill as an elaborate joke, not a very good joke, but as a Wednesday frolic. The characters of the hon. and learned Members, however, preclude such a suspicion. These two hon. and learned Gentlemen have professional reputations to lose, they are both looking for office in the next Radical Government, and we are obliged, therefore, to regard this Bill, this ugly and sinister Bill, as the serious conception of the rising lawyers of the Radical Party. The Select Committee on Town Holdings recommended that in the case of large industrial populations in permanent employment living close to their work, and where the people were able and willing to buy the freehold of their houses, the Local Authorities of such places—places, for instance, like Woolwich, and such communities as are to be found in the neighbourhood of slate quarries or coal mines—should be armed with the powers of compulsory purchase. In that recommendation I heartily concur; but, Sir, this Bill proposes something very different from that. This Bill says that "where it appears to any County Council that it is for the interest of the inhabitants of any district within the county that any lands shall be purchased . . . the Council may purchase those lands." No public object stated; simply for the interest of the inhabitants. Sir, I say it never can be for the interest of any of

*Mr. Haldane*

the inhabitants in any county in England that any lands should be bought under the terms and conditions of this Bill, because it is for the interest of all the inhabitants of all the counties in England that security of property should be maintained, and I am old-fashioned enough to believe that what is wrong in morals cannot be innocent in politics. In these modern days, with the extended franchise, there are many limitations imposed on the rights of property, as the hon. and learned Gentleman (Mr. Haldane) has reminded us. I know a man cannot do what he likes with his own if, by so doing, he injures his neighbours. I respect the maxim, *sic utere tuo ut rempublicam non lœdas*. But, Sir, I ask this House if the hon. and learned Gentleman has produced a single argument to show that the present ownership and distribution of landed property in England inflicts on the community evils half so serious and grave as those that would flow from the shock to security which would be given by this Bill, and from the open war on property which he proposes to wage? When you make war on property, as Burke says, you make war on human nature. But, Mr. Speaker, the proposals in this Bill for the immediate purchase of land, though monstrous enough, and unjustified by any public object, are mild, innocuous, and even laudable when compared with the provisions in the Bill for valuation with a view to subsequent purchase. It appears from Clauses 4, 5, and 6 of this Bill, that if the County Council should cast its covetous and regal eye upon the vineyard of any Naboth in the country or out of the country, and if the envious monarch should not feel inclined to force a sale at that particular moment, either from scarcity of funds or because the market is brisk, then the vineyard in question is to be tied up for 20 years to await the royal pleasure of the County Council, under a valuation which is pleasantly described as a charge on the land, and which is to be registered under the Registration Act of 1888. And if at any period within the 20 years the County Council think they see a favourable moment for buying, down comes their hand upon the property. And, Sir, the price to be paid for it is to be the price which is described as—

"The fair market value of the lands at the time of the purchase thereof, after deducting the proportion of any increase of that value over and above the value of the lands as the same was ascertained when the lands were previously valued under the provisions of this Act, which may be ascertained to be the special increment due to the increase or movement of the population in, or to the industrial or other development of any town or other populous place in the neighbourhood of such lands."

Now, Sir, that is not easy to realise at first. It requires an effort of the imagination to gauge even approximately the bottomless injustice of this proposal. It is, again, a case of "Heads I win, tails you lose." If the land rises in value the owner is not to receive the increment, if it can be traced to any of those causes which usually produce a rise in the value of landed property. If, on the other hand, the property falls in value, the owner, after having been prevented from dealing with his own property for 20 years, will then have it left on his hands damaged and depreciated by the County Council, because the House will observe there is no power in the Bill to force the County Council to buy the land which they have locked up for 20 years under the blight and padlock of their valuation. In other phraseology, Sir, the County Council is to have the call of any land it likes to put its finger upon; it is to have an option of purchase extending over 20 years, and for that option not a single farthing is to be paid! Mr. Speaker, that is a proposal which most business men will regard as the fantastic scheme of young lawyers who dream nightmares, because, Sir, I do not think any man will deny that the effect of this clause will be to make any lands subject to the County Council valuation absolutely unsaleable. What man would be such an ass as to buy lands from which he would be liable to be expropriated at any moment by the County Council, particularly as he would not be allowed to make the ordinary profit that might attach to a judicious investment? Now, Sir, I am bound to say, with all due deference to my hon. and learned Friend, that of all the blundering and plundering fallacies propagated by modern Radicalism, this so-called doctrine of unearned increment is the most shallow and sinister. The hon. Gentleman very conveniently proposes to confine this

doctrine to landed property in the neighbourhood of towns; but I entirely refuse to accept that limitation from the hon. and learned Gentleman. He will find, as the franchise is extended, that what is sauce for the landlord is also sauce for the commercial millionaire. I want to know with what object any man buys property of any kind? Is it not in the hope and belief that the property will rise in value? And every man expects to be allowed to enjoy every chance, whether from accident or his own exertions, to augment any part of the value of his property. Why does a man buy shares in a mine or a bank? Why does he buy Government securities? Not only to get interest for his money, but in the hope and belief that his investment will improve in value. I buy Consols at 90, and they go up to 95. I have done nothing, except as an ordinary citizen who shaves, and pays his debts and says his prayers. I have done nothing to increase their value and yet they rise. If ever there was a case of unearned increment, it is that of the increased value of industrial undertakings; and I will venture to say that most, if not nearly all, of the hon. Gentlemen opposite who are going to vote to-day for the confiscation of the unearned increment in land have made their fortunes and to-day draw their incomes from the increased value of industrial undertakings in different parts of the world, and to which they have never contributed one moment's thought or exertion. I will go further, and say that the fruits of the earth contain as large an element of unearned increment as the earth from which they are derived. The farmer gives his care to the cultivation of the soil, but his labour and anxiety differ not at all from the labour of managing an estate, and the prices which the farmer gets for his produce—the value of his corn and beef—depend almost entirely upon facilities of transport, the railways and canals in his neighbourhood, and the proximity of markets. The farmer has done nothing to make the railway and very little to increase the population that consume his produce. But since the railroad was made the farmers' profits have doubled. Is the County Council coming down upon that farmer for his unearned increment? Because it seems to me that with pre-



cisely the same logic as they propose to come down upon the landlord they might come down upon his tenant. Mr. Speaker, the real issue raised by this Bill—although it is not avowed—is whether private ownership in land is to continue to be recognised by the Legislature of this country. If it is not to be recognised, let us say so plainly, honestly, and openly, and let us say to the Local Authorities, “Buy up existing landlords,” but do not let us pretend to recognise the principle of private property in land, and then destroy that property piecemeal by depriving the owners of the rights and profits and advantages of possession. I may be told by the hon. and learned Gentleman opposite that property is only an idea: that it has been created by law, and that it can be destroyed by law. I agree with that to some extent. But do hon. and learned Gentlemen opposite, whose profession has battered and fattened upon property, who are the children and who should be the champions of property—do they really wish to destroy the idea of private property in land in this country? What is that idea of private property? It is that established expectation—that certainty of power—based upon the law of the country, which prompts a man to enclose a field, and to give himself to its cultivation in the distant hope of the harvest. Destroy that expectation, diminish that certainty, and your complex society tumbles to pieces like a house of cards. Sir, this legislation may appear to some to be progressive and enlightened. It strikes me as a remarkable piece of political atavism. To the principle of private property in land we owe what is admitted to be the most marvellous achievement of modern times—namely, the cultivation mainly of that modern Continent of North America. But the legislation embodied in this Bill strikes me as a curiously applied determination to employ the machinery of the 19th century to introduce into this country the barbarous economy of Russia or a Hindoo village community. Not very long ago, Mr. Speaker, Sir Charles Dilke recommended the rising generation of Radicals to read their Bentham. There is no man better qualified to guide the rising Radicals than he, and I wish they would take his advice. I do so, and I

*Mr. Baumann*

will give the hon. Gentleman opposite a concluding quotation from Bentham's *Principles of the Civil Code*. He says—

“With respect to property, security consists in no shock or derangement being given to the expectation, which has been founded on the laws, of enjoying a certain portion of good. The legislator owes the greatest respect to these expectations to which he has given birth. When he does not interfere with them, he does all that is essential to the happiness of society; when he injures them, he always produces a proportionate sum of evil.”

Mr. Speaker, I trust that this House will reject, as it has always rejected, these proposals to legalise confiscation. I hope this House will, by an overwhelming and decisive majority, reject the proposals of this Bill, which is really one of the coolest and most impudent attacks upon the security of property which I think has ever been submitted to the Legislature of a civilised country. I now beg to move that this Bill be read a second time this day six months.

\*(1.48.) MR. RENTOUL (Down, E.): I rise to second the Motion of the hon. Member for Peckham (Mr. Baumann) that this Bill be read a second time this day six months. The hon. Member said that he should have regarded the Bill as a joke had it been brought forward by any other gentlemen than the hon. and learned Member for Haddington (Mr. Haldane) and the hon. and learned Member for East Fife (Mr. Asquith); but I regard it as a joke, and chiefly because these hon. Members have brought it forward. The ability, eloquence, and power of the two hon. and learned Members are admitted, but they themselves know that they are not regarded generally as having much power of joking; and therefore, I think, they wished to prove by this Bill that they had as much ability in the direction of joking as in any other direction. The matter of compulsory sale has many advocates in Ireland; but even the most advanced advocate of that theory in Ireland whom I have ever met has never had the audacity to advocate that a law should be made compelling landlords to sell in cases where the tenants wished to buy, unless the same law compelled the tenants to buy where the landlords wished to sell; yet this Bill compels the landlords to sell, and leaves the County Council perfectly free, to buy or not as it may wish. Indeed, the principle is that the County Council ought not to buy

where there is any risk; they shall buy only where the gain to them is immediate and certain, and the loss to the landlords or owners equally certain. I thought that some parts of Ireland led the way in the desire to rob landlords; but here is a Bill that goes beyond anything that any Irish land reformer has ever dreamed of, and beyond anything of which any man has ever dreamed; and really, in certain respects, this Bill goes further than the wildest theories of Mr. Henry George. But my hon. Friend who moved the rejection of this Bill said that it never could be for the advantage of the inhabitants to apply its proposals, because security of property was for the general good. I think my hon. Friend is partly right and partly wrong—right if he looks away into the future, and to the general unsettlement and insecurity which would arise; but wrong if he looks merely at the near present, because, if there are in a given area thirty thousand people, and if thirty of those are the ground landlords, it will, undoubtedly, be a present advantage to the twenty-nine thousand nine hundred and seventy that the thirty shall be robbed, and the proceeds distributed among the others; therefore, robbery is present gain to those who share the plunder, but future loss to the whole community by unsettling the rights of property, and of all kinds of property, should the principle of this Bill be fully extended. The hon. and learned Member for Haddington had the greatest difficulty in keeping from laughing while he was moving this Bill, and his Radical friends around him certainly seemed to be greatly amused. The audacity of the proposal was so boundless that no one could really treat it seriously. The Mover of the Bill said that land stood on a different footing from other property, but that I entirely fail to see. Where is the real difference between what may be called unearned increment in the case of land and in the case of a newspaper, a bank, the goodwill of a business, and especially of the business of a solicitor or a doctor, and, indeed, of almost all kinds of business adventure which grow with the growth of a locality? Take the case of a newspaper. A man purchases some land with or without houses on it, in a growing town, and, at the same time, and for exactly the same amount, he purchases a newspaper

in that town. Well, in 20 years the town has doubled in population and in prosperity, and at the end of the 20 years the purchaser wishes to sell both the land and the newspaper. He will in all probability have a larger profit on the sale of the newspaper than on the sale of the land. All the time, during the 20 years, he has lain out of both the capital which he invested in the land and the capital he invested in the newspaper. He has, during the whole time, paid the outgoings of both—namely, the rent and taxes and other expenses regarding the land, and he has taken the profits, whatever they may have been; and in like manner he has paid the running expenses of the newspaper, which he has employed others to work for him, and has taken the annual profits therefrom. He has expended neither time nor personal labour, to any great extent, on either the land or the newspaper, and, in proportion to the capital expended, and the current expenses, his profits during the 20 years have been as great, or greater, from the newspaper than from the land. I want to know, in what single particular the two cases differ? The increase in value of the land and the increase in value of the newspaper have arisen from exactly the same cause—namely, the growth and improvement of the town or district. Does not exactly the same thing apply to a solicitor's practice? Two solicitors of equal ability start in two towns. The one town progresses, and so does the solicitor's practice. The other town goes back, and so does the solicitor's practice. There is no business I can imagine in which there is not what I may call unearned increment; that is to say, an increase in the value of the business which is solely dependent on the growth and improvement of the locality in which that business happens to be situated. It may be said that the people cannot live without land, but equally little can they live in this age without many of the businesses that grow with the growth of towns. But, if this Bill passes, who will purchase land, especially in towns? Will any man put one penny of capital into land when if it falls in value he loses, and if it increases in value he makes no profit whatever? Nay, more—his land will not be taken even at the price he paid for it. He may buy land at a certain price, and five years later it falls

one-third in value. Then the County Council gets it valued when its value is at its lowest; then fifteen years later the land may be worth double the price paid for it, and then the County Council takes it, not at cost price, but actually at the lowest figure it reached in twenty years. That this would be so is clear; for a County Council must do its duty in a business-like manner, and it would not be business-like to value the land at the date when the owner buys it, except where there was an absolute certainty of constant increase in value—and that occurs in very few places. The County Council must be prudent. It must be business-like; it must wait for the lowest moment to value, otherwise it will not be doing its best for its electors. It is difficult to argue seriously about this Bill. It surely must be a joke. If it is good in principle, the principle must apply to all businesses in which an unearned increment is possible, and that I have shown is possible in any business I can imagine, as so much depends on the good fortune of placing the business in a growing locality. If this Bill undertook in any way, however slight, to compensate for loss, then I could see some reason in it. If it valued the property, and then gave the owner the option of forcing the County Council to take it in case it fell in value, there would be some shadow of reason for the Bill; but, as the Bill stands, no legislation like it has been attempted in the civilised world. But I think this Bill has a political tendency. Its promoter several times spoke of the electors, and of the extension of the franchise. Therefore, his idea seems to be that his Bill, looking like an attempt to rob the great landowners for the good of the people, will be so popular with the middle and lower classes. But in this respect it will fail if the facts are put before the people, for this Bill applies to the property of small owners as well as of large owners; and I find that while the gross rental of the large owners in the United Kingdom, who own each above one thousand acres, is 37 millions sterling, the gross rental of those owners, whose property is less than 20 acres, is 43 millions sterling. Thus it is the small owners who will be hit hardest by this Bill, firstly because they own a greater quantity of the land of this country than

*Mr. Rentoul*

the large owners do; and, secondly, because, in the case of large owners, probably only a portion of the property of any given owner will be taken; whereas in the case of the small owners, if the property of any man is taken, it will probably be his whole property that will be taken. But let me show how entirely it would stop enterprise if the principle of this Bill were applied generally to all property, as I hold it must be if it is applied to land: let me take the case of a tramway in a new district. The County Councils say that at some future time they may probably take over all tramways; therefore a tramway is an appropriate illustration. A company makes a tramway towards a new suburb. At first the tramway will pay very little, but the Company makes it, knowing that as the district is growing, the tramway will pay well in the future. But suppose the County Council have power to value the tramway in the first year of its existence, with a view to taking it over at that valuation if it became a really paying concern, what Company will, under such a state of the law, ever make a tramway in a new suburb? Therefore in its earlier stages a new district will be deprived of any chance of having a tramway. Why, the more this Bill is looked at the more foolish it appears. But the hon. and learned Gentleman made a long speech, and he did not spend five minutes of it in dealing with the Bill. He only dealt with general principles. He was afraid to face his own Bill. The Bill appears to give to the Local Government Board a right, if it thinks fit, to refuse to consent to the County Council valuing any given land—but really the Local Government Board cannot withhold its consent, for the Bill, says the Board is only to withhold its consent where it appears that taking the land or having it valued would not be for the good of the inhabitants; and such a thing would never appear. How can it ever be for my disadvantage to have another man's land valued and power given to me to take that land if it rises in value, and to leave it alone if it does not so rise? In fact, I think it would be possible, if this Bill were passed, that the inhabitants of a district could *mandamus* a County Council to compel it to value all the land in the county and register the same with

a view to its being taken in future in case it increased in value. But the hon. and learned Gentleman tries to put a gloss on the really terrible part of the Bill—namely, the part allowing a County Council to value land and then, at some future time to take the land, not at the market value at the time of taking, but at the market value at the time of valuation. He says, “Oh no; my Bill says, take the land at the market value at the time of taking, minus the unearned increment accruing since the date of valuation.” Where is the difference between this and taking the land at the value at the time of valuation? It is exactly the same thing, but the hon. and learned Gentleman shies at boldly saying, “Land shall be purchased compulsorily at a price perhaps only half the market value.” This is what his Bill says really, though he does not venture to say so much. But this Bill, though brought in by two Scotch Members, says that it shall not apply to Scotland or Ireland.

MR. HALDANE: There is another Bill before the House to apply the provisions to Scotland, but it was decided that the two countries should not be included in one Bill because the machinery was necessarily different in the two cases. Substantially, however, the Bills are the same.

MR. RENTOUL: Oh, very well. I wonder how the Scotch people will like it! But this Bill does not apply to Ireland. Is this another injustice to Ireland? But it is needless to say more. It is difficult to discuss the Bill seriously. It is only backed by one English Member. (Cries of “Three.”) Well, it is the production, the sole production, of two Scotch Members. They may deal with Scotland as they like, but better leave English Members to begin this new scheme in England. I am sure the Bill will be rejected by a great majority.

Amendment proposed, to leave out the word “now,” and at the end of the Question to add the words “upon this day six months.”—(Mr. Baumann.)

Question proposed, “That the word ‘now’ stand part of the Question.”

(2.27.) MR. SYDNEY BUXTON (Tower Hamlets, Poplar): I regret that my hon. Friends who oppose this Bill are not present, as I should like to have made some remarks on their speeches.

They dealt with the Bill as a good joke, and, apparently, thought it better to treat it as a joke rather than to bring any serious arguments against it. They did not advance any very serious arguments against the proposal of my hon. Friend. There is no doubt that proposal is a very considerable new departure in regard to land legislation, but the reason for that is, that there is a growing feeling that the true mode of dealing with land legislation is to municipalise it rather than to increase the number of proprietors. The reason why this matter has made greater progress of late is twofold. First, that the present system accentuates year by year the injustice that the community should sow and the individual reap; and, secondly, we have in existence powerful representative Local Bodies into whose hands we can safely put these questions. The whole argument of the hon. Member for Peckham (Mr. Baumann) was, as far as I can judge, a question of property; he based the whole matter on the question of security of property, and said that the Bill would break down the whole fabric of society. It struck me that what the hon. Member was really more afraid of was the giving of further powers to the London County Council. The hon. Member never speaks in this House without taking the opportunity of saying something harsh, and in most cases, I think, unjust, about that great body, and I think that hon. Members on that side of the House seem to think that these public authorities being created, the powers which were originally given them ought to remain with them, that they ought to attend to, and deal with, our drains, and do nothing further; but I am glad to think that they have created what they themselves think is somewhat a monster, and that monster I hope will swallow up a great many of the duties which are at present performed by this House. The two hon. Members used very strong words and somewhat poor jokes in reference to this Bill. If the Bill be as bad as they represented it to be, it appears to me that their speeches in reply were singularly weak. Their great argument so far as I can judge was this—that if we deal with land in this direction and under these circumstances, we ought also to deal with all other forms of property. I have myself no



particular objection to dealing with other forms of property as well; if the hon. Members will show us the way in which that legislation can be carried out. But I think my hon. Friend the mover of this Bill pointed out the very essential difference between dealing with land and dealing with other forms of property; because, as he pointed out, the land is limited in extent, it is at the bottom of all productions in this country, and it is really a monopoly which no other form of property can possibly be, and further—and I think this is an important point—while it is quite within the competency of our Local Authorities to deal with the question of the land, it is not by any means within their power to acquire great businesses and to carry them on for the benefit of the community. As regards the general question put forward by the two hon. Members who have spoken, as I understood the hon. Member for Peckham—who I am glad to see has returned to his place—he did not seem to understand this question of the unearned increment at all. So far as I can see, he said nothing in regard to what, after all, is the pith and marrow of the Bill of my hon. Friend, in regard to what we consider the injustice of the present situation. He made a few jokes—I am bound to say a few excellent jokes—but he did not deal with what we believe to be the present position in regard to the question of the unearned increment. It is a difficult thing to define the unearned increment. Every one can define it in a way. For myself my definition of it is this: that it is the value of the land, apart from its ordinary agricultural productive process, and apart from any capital, outlay or enterprise that may have been put into it by its owner; the value which is created by the existence, by the presence, by the outlay, the enterprise and the energy of the community at large. That is the portion and the value of the land which we desire, if possible, to obtain for the community, and which, at present, is confiscated by certain individuals throughout the country. I desire especially, in speaking in this Debate, to deal with it from a London point of view. I think the London point of view is, after all, the strongest case we have, because the number of owners in London is probably

*Mr. Sydney Buxton*

more limited than in any other town. They have a greater monopoly under the leasehold system over land of that kind, the rents are higher, and this unearned increment grows at a greater proportionate rate than probably anywhere else throughout the country. I suppose I may say that probably the agricultural value of the land is something like, or would be about £250,000, whereas the actual value of the land, apart from the value of the buildings, it has been estimated by many competent persons, at the lowest estimate out of a total rateable value of £40,000,000, is something like £15,000,000. That is what we may consider to be the unearned increment in regard to London itself. Everyone knows that it would be superfluous to discuss the question at any length. Everyone knows that the very large increasing annual value of the land of London is due in no sense to the energy or outlay of the owners of that land. It is due partly to the expenditure of the tenants, and partly to the buildings. Hon. Members will remember with regard to the evidence given before the Strand Committee on the betterment question, that there were cases mentioned in which it appeared that the sites had been advertised, with this additional attraction in the advertisement, that the Local Authority were going to make improvements; and that the result of that would be that it would greatly increase the value of the sites. And I suppose that no one will deny that the bulk of this expenditure goes practically into the pockets of the owners; the community at large is what we may call rack-rented for the benefit of those who happen to own the land. My hon. Friend below me when my hon. Friend the Member for Haddington (Mr. Haldane) was speaking, seemed to imply that the best way of arriving at the value of the unearned increment for the benefit of the community would be by some form of taxation. In that I very much agree; and this proposal of my hon. Friend is in no sense of the word antagonistic to any proposition to get at this unearned increment by means of taxation. As regards the question of betterment, I may say that the right hon. Gentleman the President of the Local Government

Board in his place the other day practically admitted the principle that is contended for by my right hon. Friend, and by hon. Members on this side of the House. He admitted the principle of betterment. The principle of betterment is this, that, where it can be shown that an individual is benefited at the expense of the community, that individual ought to pay a sort of ransom to the community for the benefit which is done him. That is the principle of betterment, as that is the principle which underlies the Bill of my hon. Friend. We were told by hon. Member opposite that there would be great injustice done in regard to this Bill; but as my hon. Friend pointed out there is no proposal in this Bill to take anything from anybody to which he has a just right, and to which he can show a just claim, and I must say that the object of the Bill seems to be one which ought to commend itself to the Liberty and Property Defence League, because it is really in the interests of property that this Bill will be carried through. Then we were told—I think the hon. Member who seconded the Amendment specially dwelt upon this—that, it would discourage enterprise, and the development of estates in London. How would that affect the question of the vacant land? Is there any enterprise or development in regard to these vacant spaces? The whole of their value is the result of the expenditure of the neighbouring inhabitants and out of the rates, and there is no doubt, as regards them, that the effect of the Bill would not affect in any way the question of dealing with them. As regards the owners themselves, as was pointed out by my hon. Friend opposite, the bulk of the improvements in London are not done by the owners, but by the builders, the leaseholders, and the occupiers, and where they are done by the owner they are done, not with the view of unearned increment, but with the view of immediate profit for any outlay they may have undertaken; and practically the bulk of the improvements are done under the leasehold system by builders and by the occupiers, and surely, theoretically, if one were asked, what system would be the most likely to encourage enterprise, and development under any system of land tenure, one would have thought that the leasehold system, which

prevails in London, would certainly do that. It is under the leasehold system that, practically, the additional expenditure of the occupier is absorbed by higher rents and higher rates, first by the owner and secondly by the community. But no one would have thought that this would be the greatest possible discouragement to the development of enterprise, seeing that London has developed under it in the most extraordinary way. As regards the question of insecurity, I am bound to say this, that, so far as regards this Bill, we look at the matter more as a question of principle than as a question of detail; and if it were thought that the period of twenty years was too long—and I am inclined myself to think it is somewhat too long—I am quite sure that when the matter was considered, there would be no objection to reduce that length of time. And in regard to the question also of the interference of the Local Government Board as a check over the proceedings of the Local Body, there, again, I am sure, if it can be shown that a further check is necessary, there would be no objection to put in any fair proposal in that respect that might be made. But as regards the general principle of the Bill, we say that where an increase of value is due to the action of the community, there the community ought to be able to intercept that profit. It is mainly where the question of compulsion comes in, that this Bill—the novel portion of it, is in reference to the land valuation and the ultimate purchase of the unearned increment. My hon. Friend the Member for Peckham (Mr. Baumann) said if you give what he called “the call for land” to the County Councils for public improvements, you ought to give it also in reference to tramways. That is exactly what exists under the present system, because in London, only the other day, a case occurred in which the tramway had been built; and in the very Act which enabled the company to build the tramway there was a provision that 20 years afterwards the local authority, if necessary, could buy, not with, but without the unearned increment. So that that is not an argument against, but a very useful precedent in regard to this Bill. The hon. Member for Peckham said if you give these powers



to the County Councils, they will certainly deal with them in an unjust way ; and it will probably lead to jobbery and to corruption.

MR. BAUMANN : I did not say anything of the kind.

MR. SYDNEY BUXTON : Then I am very glad, and it is not necessary for me to argue that point. There is this further to be said, that as I said just now, I think it very reasonable that a check in the interests of the public should be placed on the action of the Local Body in the use of these powers, and if any hon. Member can show, that further powers ought to be given to some public body to prevent any abuse of these powers we should be content to accept them. But we believe that our great Local Authorities are now so representative and efficient that these extra-additional checks on their proceedings are no longer necessary. The machinery proposed in this Bill is of a very simple and efficient character. The valuation will be done under the ordinary rules of valuation. As my hon. Friend pointed out, there will be no more difficulty in regard to the valuation of these properties than there is in regard to valuation for railways or for any other purpose. All that is required is that, if the Local Authorities desire to buy, a second valuation will be necessary in order to show what outlay has been expended on the land by the owner, and that, *plus* the first valuation, will be the price the Local Authority will pay to him. We believe that this is, to a certain extent, a middle course between the existing state of things, which is confiscation of the property of the community by a few individuals, and between what goes by the name of nationalisation of land, which is confiscation of the property and outlay of the landlords without compensation. One great advantage of this proposal is that it will not complicate in any sense the questions of contracts, or of individual interests in a particular property, or of the past. It will only apply to the question of the future, and will, to that extent, be very much simpler than any of the proposals with regard to ground rents. We believe it is right that the community at large should be able to intercept the increase of value which belongs to themselves ; and while we do not say that this is a very perfect

*Mr. Sydney Buxton*

or far-reaching plan, we believe that it is the first and the best step towards the municipalisation of the land in the interests of the community, and that it will be in the interest not only of the community at large, but also of the property owners themselves.

\*(2.54.) MR. LAWSON (St. Pancras, W.) : I join with the hon. and learned Gentleman the Member for Peckham (Mr. Baumann) in characterising this Bill as one of the most fantastic and irrational proposals that were ever made to Parliament, although I do this from a somewhat different point of view. I claim to be a strong advocate of land law reform ; but I believe this Bill to be reactionary, and to be calculated to arrest the development of our towns, and to put a stop altogether to the improvement of agricultural holdings. I fully accept the doctrine laid down by Mill that the ownership of the land should be subordinate to the general policy of the State, and I differ from hon. Gentlemen opposite who deny that land is essentially different from other kinds of property. I believe myself that from the nature of things, as is admitted by all thinkers and economists, there is a fundamental difference between land and all other kinds of property about which it is not necessary to debate ; and I go further and say that I know from my own experience, municipal and Parliamentary, that there is a large unearned increment due to the growth of the community. I do not think it goes to the extent pointed out by the hon. Member for Poplar (Mr. Sydney Buxton). All increment is not unearned, as he seems to imagine. A great deal is earned by the energy and industry of the small tenants and householders who have spent their lives in creating a value which has nothing whatever to do with the movement of population, and by the work of many who have themselves attracted the population, the movement of which is made one of the elements of valuation under this Bill. But with the unearned increment the Bill will not deal. The Bill engages Municipal Bodies in some isolated gambling transactions in land. It does not enable them to take the increased value of the property from time to time. It plunges them in the gambling of Tokenhouse Yard in competition with land com-

panies and with individuals. Sometimes they may make a good shot; more often, as experience points out, they will probably make a bad one. We know that the hon. and learned Member (Mr. Haldane), who introduced this Bill, is a very bold and uncompromising legislator. The House will recollect, from its recent experience, that the last measure which came from him was one to render women eligible for the office of Commander-in-Chief. This Bill which he introduces to-day will make it impossible for any person to occupy his home, to carry on his business, or to earn his livelihood without the leave or licence of the Local Authority, the County Council, or the Municipality. From all I have been able to learn, this Bill has a somewhat different origin from that supposed by hon. Gentlemen opposite. It comes, I believe, from a well-known body of "Possibilists," or Progressive Socialists, the Fabian Society, of which I think my hon. and learned Friend (Mr. Haldane) is one of the chief priests. (MR. HALDANE: No.) I only know that this Bill is adopted by them, and that they oppose it to the measure of leasehold enfranchisement. My hon. and learned Friend very wisely and skilfully glided over the effective provisions of this Bill, and I wish to draw the attention of the House to the distinction between the objects stated by the hon. Member and the means as interpreted by the clauses. He told us that the land was to be taken, if required, in the interests of the population. There is not a word in the Bill about the community in that sense. He said it was partly done now for public purposes, and I am fully aware that land is taken for public purposes under Private Bills. (AN HON. MEMBER: And by Provisional Orders.) He said it was done in the interests of public health, and I know there are several Public Health Acts, including two for London. Under one of these, the Housing of the Working Classes Act, which contains the best terms ever yet accorded to a Public Body when it is a question of public health, the Local Authority may take land and refuse to pay the owner for the additional value which he derives from keeping it in an insanitary condition, thus trading on the misery of the tenants; and the other Act empowers the Local Authority to put houses into a

sanitary condition at the cost of the owner. This Bill absolutely destroys all security of tenure. I should like to know how any person would spend anything on his home, when at any moment for a period of 20 years the County Council may send their officers to purchase and take possession? My hon. and learned Friend knows that the copyholder at one time "could not eat, drink, and sleep securely," and that is the condition to which he seeks to reduce every inhabitant of a corporate town, whose only resort in such a case would be to arbitration for compensation. There is a great deal, after all, in the sentiment of property, but there will be no compensation for the sentiment of "home," and I doubt whether there would be any compensation for the loss of that trade and goodwill which a person may have done a good deal to make, and which has increased the prosperity of the neighbourhood. There is a provision giving compensation for disturbance, but will that cover the case of the tradesman who has not yet reaped the full meed of all his efforts, and whose business may be in a more or less transient condition, although he may have expended large sums with the view to future business? Then I deal further with this question of valuation, and I ask any hon. Member who has had experience of municipal government whether he believes that in fixing the rateable value the Committee that goes round, assisted by experts, is in the habit of defining how much exactly of the rateable value is due to the movement of population. The building is valued as a whole. I admit that some surveyors said in evidence that in their own minds they did separate the land from the buildings, but I never heard any of them say that they attempted to define how much of it was the unearned increment, and how much the increment earned by the efforts of the tenant. But of course that is a practical difficulty which the hon. Member may think he may be able to get rid of by a re-assessment of the whole country. But then let me deal with the absolute improvement. What is the improvement of a house? It may add considerably to its value in the eyes of the owner, but it is very often doubtful whether it adds to its letting value. An

artist adds to his house a large studio ; he receives notice from the County Council that he will be turned out. Will he get any compensation for that ? Will they allow him the expense to which he has been put for light, and all the purposes of his calling. They cannot do it under the Bill, and I venture to say that that artist would not receive much satisfaction from the thought that the Municipal Body would receive the reward if they were able to let the house at an enhanced rent to another would-be tenant. It is an adage in law that a man's house is his safest retreat. Under this Bill no man could be safe in the occupation of his house ; and I oppose this Bill most strongly, because I think it should be the aim of all land law reformers to increase security of tenure more and more to identify occupancy with ownership. This Bill does all it is possible to do to render occupancy and tenancy as unstable and as transitory and as uncomfortable as they could be made. The hon. Member objects to our talking of the possibility of jobbery arising under the Bill. I do not wish to use the word "jobbery." But unfortunately in London we do not think ourselves free from the suspicion of jobbery. The London County Council takes every means of avoiding suspicion. This Bill will plunge County Councils in a Serbonian bog of land speculation. It is a question whether land speculation in this country has been profitable. I ask the hon. Member to take the case of the great Land Companies working in and around London. They purchased in the open market land which they felt sure from the conditions of the neighbourhood was likely to considerably rise in value within a short period of time. Some of these companies are in liquidation ; others pay dividends of one or two per cent. Does the hon. Gentleman think it would be to the advantage of Municipal Bodies to embark in such a speculation ? They could not buy under such advantageous conditions as the land companies, because they are forced to buy compulsorily under the Lands Clauses Act. The right hon. Gentleman the Member for West Birmingham (Mr. J. Chamberlain), giving evidence before the Housing of the Poor Commission said that Birmingham paid thirty-three per cent. over the market value for land, taken for

the purpose of municipal improvement. But I daresay the hon. Member would like to hear something of the experience of our own Council in London which has gone in for land speculation in the past, and which has taken a great deal of land abutting on new thoroughfares and likely to increase enormously in value on account of public improvements. I quite admit that the hon. Member for Poplar (Mr. Sydney Buxton) was absolutely right when he said there has been a great increment of value on the frontages on account of public expenditure, and therefore it is the more striking to point out that in every case but one there has been an actual loss incurred by the method of recoupment over and above the cost of the work. I have a paper that was handed in to the Strand Betterment Committee, and from it I take the case of Charing Cross Road. Charing Cross Road was a thoroughfare pierced through the slums, and there were new lines on either side which you would have thought would have attracted a different class of buildings and led to the expenditure of capital in building fine houses, and, of course, it made an immense difference to our municipal revenue. As actually carried out the amount of compensation paid was £691,000 ; the amount realised by sale of surplus, £180,000 ; the net cost being £510,000. If only the property actually required to form the street had been taken the amount of compensation would have been £478,000 ; the amount realised by the sale of surplus, £55,000 ; and the net cost £423,000—or a loss of £80,000 by pursuing the method of recoupment and compulsory purchase by the Corporation. In the case of Shaftesbury Avenue, though the figures were not quite so significant, the result was the same. The only case in which the London authorities have reaped any benefit by buying land for the purpose of recoupment when they have made public improvements is the notorious case of Northumberland Avenue, where, the gardens of the Duke of Northumberland being uncovered, there was no compensation to be paid to the multiplication of interests that always arises in the case of buildings. In that case there was a surplus of £130,000. That is the net result that can be set against the 25 great schemes carried out in

Mr. Lawson

London by the method of recoupment. The advice of Mr. Charles Harrison, the Chairman of the Finance Committee of the London County Council, is very important from our point of view. He was asked, before the Strand Betterment Committee, whether this had been his experience, and he said—

“A very curious set of results is shown by the table presented. I was alluding to the artisans’ dwellings scheme first. There was a statement of the artisans’ dwellings scheme under the Cross Acts. They give the list there—the amount paid for compensation in the whole of these schemes was one and a half millions in round figures. The other payments were £330,000, so that the gross cost was £1,850,000. The value of the land obtained was £365,000, and the net cost £1,483,000, and the recoupment is given in. The Chairman: Q. I am asking you upon the broad principle of recoupment—do you say that there is no necessity for recoupment because, in the case of land purchased for artisans’ dwellings, which is in no sense a public improvement of thoroughfare, which is simply displacing workmen’s houses and putting other houses upon that site, and which other houses will have a letting value, of course, which is not mentioned here—do you say the principle of recoupment should be abandoned where a street improvement is carried out? A. My own opinion is decidedly that it should. You find the recoupments, as far as we have been able to ascertain them, have invariably brought back a comparatively small sum of money in most of the cases compared with the outlay, and that it has not resulted in a profit. The net result is that the more land you take the more you lose.”

The experience of Liverpool affords another instance of the failure of municipalities to make a satisfactory profit out of their estates. I maintain that the difficulties surrounding Municipal Corporations as landowners are many and insuperable, and I do not wish to see our authorities “jobbing” in land. I think it would be a disastrous failure, even from the financial point of view. If there is unearned increment to be intercepted, let us fall back upon the methods of taxation, upon the division of rates and upon a municipal Death Duty, for example, which will give the locality a certain share in the unearned increment as real estate passes from possessor to possessor. This was Mill’s principle. The Bill is really not a Bill to enable Municipalities to obtain any large portion of the unearned increment. It is a cumbrous and fantastic way of dealing with the subject; it is an attack upon the whole principle of private property in

land. I, for one, think it should be the object of all land reformers to put it within the grasp of every class in the community to secure possession of the great immovable land. It is because I feel that this Bill is vicious in principle, and absolutely unworkable, especially with the governmental restrictions inserted by my hon. Friend, that I intend to vote against it this afternoon.

\*(3.15.) MR. ASQUITH (Fife, E.): The three hon. Members who have addressed the House in opposition to the Second Reading of this Bill commenced their observations by stating that they looked upon it as a joke; and, under those circumstances, I think they ought to be congratulated on having succeeded, without apparent difficulty, in treating it so seriously and at such great length. It has been refreshing to some of us to hear this afternoon, in these days of Democratic Toryism, from the hon. Member for Peckham and the hon. Member for St. Pancras, the old story about the rights of property, about the dangers and risks of invading them, and about the indefeasible sanctity of any law which happens to exist, even though it places the community at the mercy of individuals, and even though it may be proved to demonstration that the community at large is suffering grievously from what those individuals have done. The hon. Member for Peckham told us that property consisted in an established expectation. An established expectation of what? Apparently, according to the hon. Member, an established expectation that the law will never be changed. But this House has been engaged during the last fifty years in disappointing established expectations of that kind and in doing what the hon. Member and his predecessors, both leaders and rank and file, call legalising confiscation. There has not been a single great measure, from the time of the abolition of the Corn Laws down to the Irish land legislation of the right hon. Gentleman the Member for Midlothian, that has not been denounced in exactly the same terms and ridiculed with exactly the same unctiousness as this Bill has been denounced and ridiculed this afternoon. I do not think that some hon. Members have quite realised the scope of this measure. The framers of it have two objects in



view, which are perfectly distinct, although they may be combined. The first object is to enlarge the powers of Local Authorities to purchase land in the interest of the people they represent; to restrict the compensation payable to the vendor to such sum as will, at the moment of purchase, represent its market value as between a willing buyer and a willing seller; and to give him, in addition, a complete indemnity against all damage that he can show he has actually sustained. The second object is to enable the community to appropriate for its own purpose, and for the relief of public burdens, that share, and that share only, of the value of land which, after the passing of this Bill, can be shown to accrue, not from the efforts or the exertions of the owner or occupier, but from the growth of the community or from other social causes, and of which at the present time the owner, and the owner alone, reaps the exclusive benefit. Now, let me deal briefly with these two points. In the first place, I say that the object of the Bill is to enlarge the powers of Local Authorities to take land. In every respect I differ from the arguments of the hon. Member for St. Pancras in regard to this part of the case. The Bill, although it takes a step in advance, involves nothing in the nature of a new legislative departure. The President of the Local Government Board knows very well, and most hon. Members must know, that every Urban Sanitary Authority in England has at present the power of acquiring land compulsorily for sewerage and drainage works, for street improvement, for parks and pleasure grounds, for the erection of markets, the construction of baths and washhouses, and a multitude of other subordinate purposes of local interest; and also where a Local Authority has obtained powers from Parliament to supply gas or water, or to construct tramways, for the purposes incidental to such undertakings. Therefore we are not asking the House to initiate a new experiment, but to proceed upon lines which have been established during the last fifty years, and which—differing here, again, from the hon. Member for St. Pancras—I venture to think have been abundantly justified by their success. I challenge contradiction, on evidence supported by instances, to this

*Mr. Asquith*

broad and general proposition which I do not hesitate to assert—that the Municipal Authorities of this country, working as they do in the light of day, responsible to their constituents, subject to searching and sleepless criticism from public opinion, have amply justified the confidence with which the power of acquiring and dealing with land has been entrusted to them; and there is no ground for fear or apprehension that if these powers are enlarged, and the area of operation is extended, they will show themselves more indifferent to the public interest or more susceptible to corrupt influences in the future than in the past. Now, it is perfectly true that this Bill does make a change, for whereas, under the present state of the law, land can only be acquired by Public Authorities for certain specified statutory purposes, this Bill proposes to give to the Local Authority a general power of acquiring land wherever it is necessary in the interest of the people it represents. In our judgment that is a change not only in harmony with past legislation, but it is necessitated by the growing and shifting economic and social conditions of our large towns. Let me give an illustration showing how a Local Authority, if this Bill were passed, could deal with a matter of great urgency with which it cannot now deal. The case I will take is that of a comparatively small but increasing town, which has become the seat of an industry, or has been resorted to for the purposes of pleasure and recreation. The land of the town and its immediate environments belongs to a single person. That person, from good or bad motives, does not wish the town to extend, either because he desires to preserve the amenities of his property, or for other reasons. He says—"I will not let you have the land; or, if I do, it shall be only on my own terms," which may be unreasonable or exorbitant. Instances of this kind have been stated in the House. Now, is the House, with the experience we have had of Municipal Government, to allow private property in land to be carried to such a length that the whole growing life and development of a community is to rest upon the discretion of a single person, who may be wise, but who may be foolish; who may be public-spirited, but who may be altogether unfitted for the discharge of



the responsibilities of the position in which he is? There is also another case in which the hon. Member for St. Pancras is interested—the short leasehold system which has done so much injury to London. I did not vote for the Leasehold Enfranchisement Bill which the hon. Member introduced, because I saw no advantage in substituting for a small body of large landowners, who from the fewness of their numbers and the weakness of their position are more or less amenable to public opinion—in substituting for them a large body of small landowners who could deal with the land as they pleased, and who were absolutely unrestrained by any public authority. Now, this Bill will enable the Local Authority to get rid of the system of leasehold tenure in towns where it is injurious. It will enable it to re-sell the land, or let it, or feu it out on reasonable terms, with adequate security of tenure, and subject to proper restrictions. There is one other point I will refer to, and that is the question of compensation. Those who read the Bill will see that the compensation which it gives to the vendor whose land is taken is everything he is entitled to. Apart from the valuation provisions, with which I will deal later, whenever the land is purchased he will get the market value of it at the time of purchase; and he will get, in addition, compensation for disturbance. Further compensation will also be paid for severance. Will then anyone say that the provisions of the Bill do not give everything which the owner is entitled to expect? We all know that Public Authorities are in the habit of purchasing land at extravagant prices. My right hon. Friend the Member for West Birmingham has been quoted as having put the excess of purchase money in transactions with which he has been connected in his public capacity at something like thirty or thirty-three per cent. over a fair value. That is a monstrous tax upon the community. It is due to two things. In the first place to the fact that the machinery of compensation is defective, seeing that you have to come to Parliament for a special Act, or even, under the Public Health Act, after the Local Government Board has given its sanction for a Provisional Order. Under this Bill you would do neither. Further, the

cost to the community of making these advantageous works of public improvement has been enormously enhanced by the excessive prices you have had to pay in the form of compensation for compulsory purchase to the owner from whom the land has been obtained. Where it is to the interest of the community that the Local Authority should obtain the land, we say that if the Local Authority is prepared to pay the full value with indemnity for loss sustained, that is going quite as far as justice requires. I pass from that to say one or two words as to the other branch of the Bill—the provisions dealing with the unearned increment. The hon. Gentleman the Member for Peckham (Mr. Baumann) denied the existence of the unearned increment, or at any rate, if he did not deny its existence, suggested that it existed in exactly the same degree and kind in the case of all other forms of property.

MR. BAUMANN: Hear, hear!

\*MR. ASQUITH: I do not know whether my hon. Friend the Member for St. Pancras says likewise?

MR. LAWSON: I do not.

\*MR. ASQUITH: He does not; but since the argument has been advanced, and since it appears to be supported by a considerable amount of opinion on the other side of the House, it may be worth while pointing out its fallacy. The hon. Member for Peckham referred to Consols. He took the case of a person who had bought Consols at 80 or 90, and had seen them rise to 100, which, I suppose, he regards as unearned increment due to the progress of society. ("Hear, hear!") I thought so. What is the difference? The person who buys Consols at 80 has the right to receive the sum of £3 per year, and when they have risen to 100 he has still the right to receive £3 per year, but not one penny more. The only difference that has taken place is this—that an annual return of £3 is worth so many more years' purchase after Consols have risen than before. Yes, but what is the case in relation to land? Why, that not only does the capital value of the landowner's land rise in the number of years' purchase, but that the annual income itself rises. He is able to let his land not for £3, but, say, for £30 per year, and even after he has got that he is able to sell

that annual income of £30 at an increased number of years' purchase. Therefore, I say that the suggestion of the hon. Gentleman is not to the point. Then, take the case of industrial companies. The hon. Member says that we are all, as shareholders or as deriving profit in some form, participants in the unearned increment. To some small and indefinable extent, that may be so. But there, again, the hon. Gentleman mistakes, or fails to observe, the fundamental difference between the two cases with which he is dealing. Land differs from every other kind of property, and the owner differs from every other owner in this respect—that land is strictly limited in amount; that the owner possesses a monopoly; that there is no effective competition between him and other vendors of the same commodity, and that, therefore, he is able to demand what is practically a monopoly price. I am speaking of urban land. The case is not similar, I admit, with regard to agricultural land; because, owing to the abolition of protection and the development of the means of communication, we have, practically, a number of alternative sources of supply in relation to food. But when you are dealing with land as a site for human habitation and residence—and particularly land in and about great towns—it remains true, and will always remain true, that the owner of land enjoys a strict monopoly; that there is no alternative supply from which the demand can be met. The more population increases, the greater is the gravitation towards these centres of industry; and he, without raising a finger by way of effort or exertion, without even observing the virtue of abstinence, of which we read in books of political economy, while doing nothing, is exacting from the community that which, in the form of increased value, is neither more nor less than a toll on the progress of the country, and—

• SUSPENSION OF MR. CUNINGHAME  
GRAHAM.

MR. CUNINGHAME GRAHAM (Lanark, N.W.) [Interrupting]: Perhaps the hon. Member will explain how shareholders in swindling companies— (“Order!”) Oh, I am not going to be put down. (“Order!” and “Name!”)

Mr. Asquith

It is a matter of no importance to me whether I am named or not.

\*MR. SPEAKER: Order, order!

MR. CUNINGHAME GRAHAM: What I want to know is, how do swindling shareholders in a company derive their funds? (“Order!” and “Name!”)

\*MR. SPEAKER: Order, order! The conduct of the hon. Gentleman is such that I must name him to the House. I name you Mr. Cuninghame Graham.

MR. CUNINGHAME GRAHAM: All right! I am simply named for standing up for Socialism in this House in the face of a swindling speech endeavouring to draw ridiculous distinctions. That is why I am named.

THE SECRETARY OF STATE FOR THE HOME DEPARTMENT (Mr. MATTHEWS, Birmingham, E.): I beg to move, in the terms of the Standing Order, that the hon. Member be suspended from the service of the House.

MR. CUNINGHAME GRAHAM: Suspend away! (To Sir J. Lubbock, London University, who had spoken to the hon. Member): Oh, leave me alone; I do not care a damn. (“Order!”)

\*MR. SPEAKER: The Question is, “That the hon. Member be suspended from the service of the House.”

Question put, and agreed to.

Resolved, That Mr. Cuninghame Graham be suspended from the service of the House. —(Mr. Matthews.)

MR. SPEAKER then directed Mr. Cuninghame Graham to withdraw.

MR. CUNINGHAME GRAHAM: Mr. Speaker, in withdrawing I wish to apologise for the discourtesy to you; but I wish also to say that I consider I am suspended for standing up for Socialism. I shall be glad to argue that question in the Park with 100,000 men; but this House is a swindle on them.

The hon. Member then withdrew.

Debate resumed.

\*MR. ASQUITH: I was endeavouring, when the hon. Member intervened, to point out that there was a substantial distinction between the unearned increment in the case of land and of other forms of property. The increase in value of rateable

property in London cannot be accounted for in any other way than by the increase of population. The gross rateable value of property in the Metropolis has risen, in twenty years, from £22,000,000 to nearly £40,000,000 a year; and although it may be true that during the time of that increase many buildings have been erected and street improvements made, nothing which has been done in that way can account for the enormous enhancement in the value of property in the Metropolis. To account for it we have to look to the ever-increasing aggregation of population, which has enabled the landlord to appropriate to himself the increased value he has done little or nothing to create. That being so, the question is, whether the unearned increment is or is not to become the property of the community? We say that it should; hon. Members opposite say that it should not. There a clear issue is raised, and it is upon that issue that the Division upon the Second Reading of this Bill will take place. I will now say one or two words as to the machinery of this Bill, to which so much criticism has been directed. I do not at all agree with my hon. Friend the Member for St. Pancras that the power of valuation given by the Bill, coupled with the power to purchase during the 20 years succeeding the valuation, will create a state of insecurity under which neither owner nor occupier of property will be able to make such use of it as he ought to be able to make in his own interest. My hon. Friend has failed to observe, or, if he has observed, has failed to give weight to the fact, that for everything which is done during the interval elapsing between the period of the valuation and the ultimate purchase, either in the way of improvement or in the way of judicious management, full compensation is to be made. The only thing for which compensation is not to be received is that part of the added value which is due to the progress and the growth of the community. Therefore, it is absurd to say that a man whose land has been valued will be in the least degree prevented from making use of it and developing it by getting tenants to occupy. He will be in exactly as good a position as if a Railway Company were to purchase his land, subject only to a

difference in the measure of compensation which this Bill introduces. The fears that are founded upon the uses of that machinery appear, when carefully examined, to be altogether groundless. My hon. Friend has spoken as if the effect of this measure would be to plunge the Local Authorities of the country into land speculation. It will do nothing of the kind. He referred to the experience of the land companies in and about London, which paid very small dividends, and then went into liquidation. Those land societies, so far as I know anything of their operations, are companies which not only speculate in land as a thing to be bought and sold, but lay out and develop the land for their purposes, and sink a considerable amount of capital in these preliminary works, which, if they have mistaken the market, or if the site is unfortunate for the operations, result often in failure and disaster. It will not be in the power of any Local Authority under this Bill to indulge in operations of that kind. All it can do is to purchase land as required for public purposes, to value other land—a value to be confirmed by the Local Government Board—indicating thereby that the land so valued is likely to be required in the interests of the community, and that, therefore, the additional value which will arise in the interval from the growth of the community will belong, not to the owner, but to the community. Those are the proposals of the Bill. They do not in the least degree militate against any other plan which may be proposed for what I may call tapping the unearned increment; but they will have the effect of securing to the community that which is part of its own patrimony, that which is now diverted into other hands and to other purposes, that which the community creates, but of which it reaps none of the fruit.

MR. AMBROSE (Middlesex, Harrow): I always understood that the object of a Government was to protect individuals in the enjoyment of their property. For my own part, I am not, like my hon. and learned Friend the Member for East Fife (Mr. Asquith), able to distinguish between individuals and companies, because in my view the happiness and welfare of the community are best maintained by securing the rights and

welfare of the individual members of both. My hon. Friend suggests that there is a difference between unearned increment on land and on other property. He took the case of Consols, and attempted to point out the difference. I propose to deal with that portion of his argument. He says the difference in Consols is, that if Consols bought at 80 rose to 100, the holder would only get the £3 per year—that there would be no difference in the income. But where do you get the £100 for that which has cost £80? He has admitted that the cause is the increase in capital value. He says, too, that you get an increase in the value of the land. Why? Because the capital value of the land has increased. Therefore in both cases the increment arises from an increase in the capital value. The same point arises with reference to industrial undertakings. In each case the increment depends upon circumstances which are altogether beyond the control of the owner. The truth is that money is the representative of all kinds of property, whether it be land or anything else, and that contention can have no better test than the ease with which money can be converted into land and land into money. This Bill has been discussed as if it were a mere question affecting the owners of the land, but it is not so at all. One of its principal points has reference to the ratepayers, because it empowers the County Councils to take any land they may think proper. Under this Bill the County Council would have power to take any property they wished. But where are they to get the money from? I know of no powers under the Local Government Act of 1888 for raising money for such purposes as this, either from borrowing, or from the rates. But I do not lay much stress on that point, because the Bill might be amended in that respect in Committee. What about the ratepayers? Are we to allow County Councils, by dabbling in land speculation, to increase the rates that had to be paid by those who elect them? Surely the people of this country are taxed enough now, and it is not right that they should be exposed to the risk of increased taxation to enable County Councils to indulge in fantastic schemes such as are suggested by this Bill. The

*Mr. Ambrose*

Councils will have to pay the full market value of the land, and they may have to bear the expense of assessing the value, which will largely add to the price. And suppose the County Council make a mistake; if, instead of improving in value the land deteriorated, who is to bear the loss? I suppose it is to fall on the ratepayers. Mr. Speaker, it is no part of the duty of Government to make speculations of profit and loss, with a possible loss that may fall on the ratepayers. A ratepayer pays his rates to maintain the necessary authority for doing the work of the parish or district, and there is no obligation upon him to find money to enable the County Council or any other Local Authority to indulge in schemes of this kind. I contend that the principle of this Bill is entirely new, and that no analogous case has been quoted as a precedent. If anyone could make out a case for the Bill, I am sure the hon. Member for Fife (Mr. Asquith) could, but he has been unable to do so. The hon. Member for Haddington (Mr. Haldane) started with the case of Lord Cairns' Bill for the amendment of the law relating to settled land, but under that Bill the rights of the remainder-man had to be preserved, either in money or land. The other case quoted by my hon. Friend is that of railways. But in the case of railways, the necessity for the land proposed to be acquired compulsorily has to be proved before a Committee of the House of Commons. A specific case has to be made out, and upon that the House gives the necessary authority. Again, in taking powers for the construction of artisans' dwellings, proof has to be given of a distinct neglect of duty on the part of the property owner; and in all cases where land is taken for drainage and other purposes, under the Sanitary Laws, application has to be made to Parliament for a Provisional Order. I contend, therefore, that my hon. Friend is in error when he says there is a precedent for the principle contained in this Bill. But the worst part of the Bill seems to be that which deals with the question of the land-charge. Let hon. Members consider for a moment what will be the effect of having a land-charge registered against any particular property, under any circumstances. Why, Sir, it will be putting a dead hand upon the property, and



sacrificing it, at all events, for 20 years. How could the owner deal with it? If he wanted to sell it he might get less—certainly not more—than the price fixed upon it by the County Council, and in addition to that his power of borrowing money on it would be greatly reduced. Supposing the owner wished to develop the property, and incurred considerable expense in making streets and laying down drains, and erecting houses. What then? “Oh,” say my hon. and learned Friends, “he is to be paid for all that. That is to be taken into account when the County Council acts”! But, Mr. Speaker, it may happen that the owner may lay out a great deal of money, and that there may be no unearned increment arising from it. Instead of being successful, the development may be an entire failure. He may lay out the streets and fail to sell the land on either side, or he may erect houses and not be able to let them. In that case the Council may leave the property on his own hands; but if there should be an increase in the value of the land, the Council might come in and claim the result of his improvements as unearned increment. Mr. Speaker, there is a fallacy underlying the whole of this talk about unearned increment. The prospective value—or unearned increment, as it is called—really constitutes a part of the present value, and this is a point well known to every person accustomed to the valuation of land. You never can assess and arrive at the real value of a property unless, and until you take into consideration the possible future of that property, which is the unearned increment some hon. Members opposite have been discussing. Take a foal for example, which has a pedigree, and concerning which great expectations may arise when it shall have grown to maturity. Are you to fix the value of that foal by its capacity as a foal? No one in his senses would think of doing so. You consider what it may do in the future, and in that way the prospective value is taken into account. It is the same in the case of land. Well, if there is one thing we may congratulate ourselves upon, I think it is this: We have heard the hon. Member for West St. Pancras (Mr. Lawson), who is great on leasehold enfranchisement, and we have

(Mr. Haldane), who is opposed to leasehold enfranchisement. The Mover of this Bill condemns the scheme of the hon. Member for St. Pancras, and the hon. Member for St. Pancras condemns the scheme of the hon. Member for Haddington. Well, I think we shall agree that both the hon. Members are right in condemning each the scheme of the other. With these remarks, Mr. Speaker, I shall have great pleasure in supporting the Motion of the hon. Member for Peckham (Mr. Baumann).

\*(4.5.) MR. C. S. PARKER (Perth): I rise to support the Second Reading of this Bill upon the grounds which were eloquently and very discreetly stated by the hon. Member for Fife (Mr. Asquith). He so well submitted to the House the strong arguments in favour of the first part of the Bill that I shall not waste time in going over that ground again. But I should be unable to support the Bill if I had not this opportunity of saying that I am opposed to the three or four clauses dealing with unearned increment. As some hon. Members whose names are on the back of this Bill have still to speak, I hope they will give us a satisfactory reply as to whether they are not under a grievous fallacy in regard to the operation of those clauses. I understood the Mover and others to say that, however averse they might be to unearned increment, they are not prepared to meddle with the past. But my point is that they do meddle with the past, because, as the hon. Member who has just sat down has argued, there can be no doubt that in fixing the present value of land an expert valuer takes into consideration its prospective value. The County Council asks what is the value of certain lands. The valuer replies, naming a market price which includes the prospective value; but the County Council then has the option of purchasing immediately, or at the end of five, ten, or 20 years. Well, Sir, for argument's sake I will take a simple case, that of land in the City of London, where, as has been shown, it is rapidly rising in value. For simplicity I will assume that the owner makes no outlay in the meantime. Very well, the land may be valued at the present time at, say, £10,000, and in the course of 20 years it may be worth double that sum. Surely the owner has a just claim to sell at the present valua-



tion. But if the County Council, instead of taking the land as valued or leaving it, can hang it up for 20 years, and the owner goes into the open market to dispose of it, I say he can no longer get £10,000 for it, because it has been deprived of part of its prospective, and, therefore, of its present value. I think that is an inconsistency in the Bill, and I challenge hon. Members supporting it to say whether they do or do not intend it to interfere with unearned increment already accrued. My hon. Friend the Member for Poplar says there is no proposal in the Bill to take anything from anybody to which he has a just claim. Well, I contend that if the County Council wishes to buy land, the owner has a just claim to the increment already accrued, yet these clauses would take it from him. I distinguish, however, broadly between unearned increment and betterment. I do not know how far the right hon. Gentleman opposite has committed himself to that principle, but I think it is a fair one if properly defined. If Public Bodies expend public funds on improvements, which will be greatly for the good of private persons, I think it should be arranged so that a portion of the cost falls, say, by way of a special rate, upon those who are thus benefited. But that is altogether a different case from that of unearned increment. I will not detain the House longer, but I hope that hon. Members who are supporting this Bill, will explain whether they do, or do not, propose to interfere with the increment already accrued.

(4.10.) SIR G. RUSSELL (Berks, Wokingham): The hon. Member who has just sat down was apparently prepared to support the outside of the Bill but not the inside, but as the inside is virtually the whole of the Bill I really do not see how he can support any part of it. Not a few hon. Members have been disposed to treat this Bill as a joke, and I am not surprised at that; but I must say that it appears to me not only to be a joke, but a very bad joke, and I should almost be disposed to consider it a practical joke if there were anything practical in the Bill at all. The hon. Member for Peckham told me last night for the first time of the existence of this Bill, and when he told me what were its provisions, I was

unwilling to believe that he had arrived at a correct estimate of them. I have now, however, satisfied myself that he was correct, and having done so, I looked to see who were the Gentlemen who were interested in this extraordinary Measure. I find that they consist of three Scotch Members, two philosophers, and one English County Member. As regards the three Scotch Members, I would remark that the only sensible clause in the whole Bill provides that it shall not extend to Scotland. As regards the two philosophers, I will content myself with saying that England never has been, and I am perfectly confident never will be, led by philosophers. With respect to Sir Edward Grey, I have the greatest respect for him as bearing a name honoured in this House and in this country, and I can only imagine that being the Member for Berwick, which is so near Scotland, he believed, when he put his name at the back of this Bill, that he was a Scotch Member. We have heard a great deal this afternoon with respect to the operation of this Bill in urban districts, and I, as a County Member, should like to say something with respect to its effect in the counties. As a matter of fact, under this Bill the whole of England could be scheduled, and if land were hung up in the manner that is suggested, no landlord would expend a shilling on the property so hung up, no tenant would dream of renting such land, and anything more disastrous to the productivity of the land of this country, if this measure became operative, I cannot imagine or conceive. There is one portion of this Bill which hon. Members seem disposed to glide over as if they do not like it. The hon. Member for Fife (Mr. Asquith) gave a sort of veneering aspect of seriousness to this preposterous and ridiculous measure; but I should like to ask him, as a practical question, how he would like some Society, like the Incorporated Law Society, to have power to-morrow to value his practice with a view to purchasing it, at that price, at any time within the next twenty years. How would he like to have his income fixed at its present rate by Act of Parliament for the next twenty years? I expect he would not like it at all. And we do not like it, and on that ground we intend to fight against

*Mr. C. S. Parker*

this measure. The great inducement which is held out to hon. Members on the other side to support this measure is that it introduces their pet and favourite principle of compulsion. Nothing will go down now with them but compulsion. They will not let me be sober of my own free will and choice; I am to be sober by Act of Parliament. They will not let me sell my land of my own free will and choice; I must sell it by Act of Parliament. They will not let me work as many hours in the day as I please; I must have my hours limited by Act of Parliament. In the whole range of public questions I only know of one on which the new fashioned Radical has adhered to the old principles of liberty and freedom, and that is the one single question in which compulsion ought to be applied—the vaccination question. I will give them the credit that they do remain free traders in small pox. But with that one isolated exception they introduce compulsion into everything, and it has found its way into this ridiculous measure which has been introduced to-day. It has been said that this measure is a joke. I should like to hear the right hon. Member for Derby (Sir W. Harcourt) in his most jocular spirit dealing with this measure. It would be a real treat. He would make it a hundred thousand times more ridiculous than I can make it appear, and he would possibly make it appear even more ridiculous than it is. I hope it will be rejected by a large majority, for it is a measure which deserves to be kicked out with ignominy and contempt.

(4.20.) SIR E. GREY (Northumberland, Berwick): I am perfectly willing to admit that it is a failing on the part of any person who is unable to see a joke where one exists, and I honestly admit that I do not see a joke in this case. But I think there is one thing worse than failing to see a joke, and that is seeing a joke in a serious matter. Opposition has come to this Bill from several quarters. It has been complained that my hon. and learned Friend who introduced the Bill (Mr. Haldane) dealt too much with general principles. I am glad he did, because it has brought out clearly the fact that the great difference between us and hon. Members on the other side of the House is on general principles. They maintain that the land is to be treated

just like any other commodity, and they maintain that the unearned increment is to go into the pockets of private individuals. I think that is not an unfair construction to put on the argument of the hon. Gentleman who moved the rejection of the measure. At a time like this, when the great question which is agitating the popular mind is that of the condition and profits of the ownership of land and the general distribution of wealth, it is impossible that the question of the land can do otherwise than receive its full share of attention. It is as important as capital, and is discussed enough in connection with the profits arising from it. It is as necessary to industry, and it is fixed, and thus offers facilities for treatment in a way that capital does not. It is limited in quantity, and comes under a category which this House has always considered worthy of special treatment. The Member for East Down (Mr. Rentoul) seems to think that land is like goods in a shop window, which can be increased at pleasure. If the hon. Member has not got beyond that point of view, it is not possible for him to understand the reasons that have induced us to bring forward this Bill.

MR. RENTOUL: The hon. Member says I referred to the goods in a shop window. I said nothing of the kind. I referred to a newspaper, or to the practice of a solicitor or a doctor in a growing town.

SIR E. GREY: I will take the case as the hon. Member puts it now, and speak of a newspaper in a growing town. In a town where land is rising in value, and a newspaper is rising in value, the increase in value does not necessarily arise from the same cause. The land may have been lying idle for years. It may be a rubbish heap, and no money have been spent on it, and yet, because of surrounding conditions, the land may have increased in money value. But the newspaper if it has risen in value, however greatly the population of the town has increased, must have had expended on it industry and ability, and that is the difference between the two cases. The hon. Member asked also where was the demand for this Bill. I believe he is in the habit of addressing popular audiences, and I cannot understand how it can have escaped his atten-

tion that nothing excites more interest with popular audiences than the question of land reform. There is a great desire for it, and it is as wide-spread as any feeling can be. Many schemes of land reform are brought forward, and it is not enough for us to content ourselves with criticising schemes for land nationalisation, and with saying that many of these schemes are crude, unworkable, and unjust. It is our business to bring forward better considered, more matured, and more equitable measures. The business of Members of Parliament is not to wait till a popular demand has arisen for some particular Bill, but to recognise the difficulty which the public mind feels in dealing with such measures, to elucidate and elaborate the details, and put them into practical and workable form. That is why this Bill has been brought before the House. The second principle contained in this Bill is that we wish to extend the public ownership of land. I quite admit that private ownership of land has served many useful purposes. But the most useful purpose is that it develops energy and enterprise in the cultivation of the soil perhaps better than public ownership can do. But the land has ceased to be wanted solely for agricultural purposes, and it is when it is wanted for purposes other than agriculture that this Bill will come into operation. The hon. Member for St. Pancras (Mr. Lawson) seems to regard Public Bodies as in some way hostile to the community at large, and intimated his belief that they were the worst owners of land that could exist.

MR. LAWSON: I did not say so.

SIR E. GREY: I understood him to say that public ownership of land, so far as it had been tried, was unfortunate, and I read somewhere the other day a remark of his that Corporations were about the worst owners of land it is possible to find. I think we ought not to be guided entirely by the experience of the past. Local Authorities are developing in life and energy every day, and public opinion is developing and paying more and more attention to the action of the Local Authorities and founding greater hopes and expectations on the work of the Local Authorities. I do not mean the public feeling of the moment, but that steady and con-

tinuous feeling which is turning more in the direction of the Local Authorities. Look, for instance, at the election for the London County Council the other day, when a large Progressive majority was returned. What did that mean? We are told that many persons who are by affinity and for Party purposes Conservatives, and who are prepared to vote for Conservative Members at a Parliamentary election, had yet voted for Progressive members of the County Council. That means that they have overcome their natural affinity, because they are interested in the scope of their own Local Authority, and that that Local Authority has attracted to itself men of enterprise and ability, who possess the confidence of the community. Surely this is the time when we ought to give Local Authorities more power, and I maintain that this Bill will place in their hands a power which will stimulate public interest in their work; and it also provides an opportunity the best calculated to draw out the interest, the energy, and the ability of the members of those bodies. And there is no other way. We cannot progress in any other way except through the Local Authorities. There are people, of whom I think the hon. Member for Peckham is one, who say that the unearned increment should go into the pockets of private owners. The hon. Member has used such strong language in denouncing this Bill that I do not know how he will be able to denounce any future Bill which may be introduced for taking not only the future, but the present, property of persons without compensation. The point of view of the hon. Member, as I understand it, is that a certain favoured class is to be entitled not only to what they have earned, but to a great deal that they have not earned by their own exertions or capital, and land is to be maintained at monopoly prices. We are also opposed on the ground that the unearned increment of land is not different to that of other commodities in which it is difficult to distinguish it from other increased value. Even if we admitted that, I should contend that the unearned increment of land can, to some extent, be distinguished, and the fact that we cannot get all unearned increment is no reason why we should not get that which can be so distinguished. Some hon.

*Sir E. Grey*

Members oppose this Bill because they have plans of their own which they prefer for dealing with land reform. The hon. Member for St. Pancras (Mr. Lawson) has a Leasehold Enfranchisement Bill which he prefers, but I utterly fail to understand his position. He said he was in favour of acquiring the unearned increment of land; but surely there is opposition enough to that principle, without the hon. Member proposing to increase manifold the number of persons resisting our efforts to get the unearned increment for the State. The Bill before us is not perfect or complete, as it will only acquire the unearned increment of the land which the Local Authority has had valued, so that one owner may be valued and have to pay, and be side by side with another who is not valued and is getting the increment; but the good fortune of the one man is no reason why justice should not be done in the case of the other. To meet the case we might invoke the powers of the Bill of the hon. Member for St. Pancras for special rating. This Bill is put forward as an instalment. I wish to deal with the alleged injustice in the Bill. The hon. Member for Perth (Mr. C. S. Parker) put the case very clearly when he said that the Bill might lower the speculative value of land, as in valuing for the purposes of the Local Authority the prospective value will not be taken into account, and the Local Authority will be able to purchase at a price which does not include the prospective value of the land. I think the Bill will have a tendency to lower the speculative value of land, but will not touch its agricultural value or the increased value due to the expenditure of capital and labour upon it. The answer to the charge that injustice will be done in that respect is that the value which will be lowered is purely speculative, always has been, and will always remain, open to risk. There have been many schemes for obtaining this unearned increment; the principle of betterment is one; John Stuart Mill proposed another; and from that time everybody has been bound to run the risk of Parliament adopting one of the numerous plans, and thus interfering with the speculative value of land. We believe that in giving the Local Authorities power to value the unearned increment we are asserting the right of

the community to that which is its own, which it has always been entitled to, but which it has, for want of knowledge of its powers, or from laziness, not claimed hitherto. As to the argument that the unearned increment will be taken from the owners, and the undeserved detriment fall entirely on them, I believe that future buyers will buy land with their eyes open to the risks they run, and they will take account of them in the price they pay. When we consider how vast the unearned increment has been, and what a difference it would have made if the public had acquired it years ago in relieving the pressure of rates and in the amount of money available for public purposes, I am inclined to defend the generosity of the Bill in being so little retrospective rather than to defend it from the charge of injustice. We contend that land is a monopoly, and that the State has a right to limit the conditions under which it is held. In the case of a Railway Company, the profits are affected by the limits placed on the rates which the company can charge; but if the company fails through a change by depopulation in the character of the district through which it runs, the country does nothing to compensate it. If profits are made in trade the income is taxed; but if there is no profit in consequence of bad trade, the State pays no compensation for the loss. I claim for the Bill that it is one advisable in the public interest, and that it has proper regard for private interests. It is an experimental Bill, which will enable the Local Authorities to advance on right lines—the lines of experience. They will be called upon to run no risks, nor will they be called upon to buy land until it is rising in value. Yes; I am using that argument against the hon. Member for St. Pancras, who has spoken of the risk the Local Authorities would be called upon to run if the Bill were passed. The Bill has a third merit—it is capable of progressive application. It can be extended from town districts to county districts; in fact, there is nothing in it to prevent its immediate application to country districts. The President of the Board of Agriculture complains of the hardship of men wanting allotments having to pay three or four times the price paid by a neighbour who has a larger holding; he might



find some method of extending the Bill to remedy that injustice. Hon. Gentlemen opposite may admit some of our arguments, but I do not expect they will admit the conclusions we draw from them. We who consider ourselves the guardians of the Public Purse are bound either to accept this Bill, as it is, to improve it, or to reject it in favour of a more complete measure, which is not at present forthcoming. It is said that public opinion does not call for it. It is our business to rouse public opinion to a proper sense of its own rights. When hon. Members talk about justice in connection with this Bill, what they call justice does not deserve the name, because they look at it from the point of view of the individual and monopolist. In talking about justice between man and man, you must take the view of both, and draw the line fairly between the two. So in this Bill you are bound to occupy the position of both the individual and the State which is interested in the rising value of land. Hon. Members opposite only look at the question from the point of view of the owners of land, and it is not possible for them to decide equitably where the line of justice lies. The Bill takes a larger and fairer point of view; it proceeds on principles, sound and just, which will, sooner or later, commend themselves to the larger body of people in the country, and on these grounds I have endeavoured to defend and justify it; and I hope to see it, or some measure of the same kind, passed in the not very remote future.

\*(4.43.) THE PRESIDENT OF THE LOCAL GOVERNMENT BOARD (Mr. RITCHIE, Tower Hamlets, St. George's): The hon. Baronet has made a very able speech in favour of this Bill, but I was very much astonished at one of the reasons he gave for considering that it was a fair and generous Bill. He pointed out, in answering another objection to the Bill, what a commendable feature it was that it did not compel County Councils to buy land until it is increasing in value. That may be very generous from the County Council point of view, but it is hardly generous to the landowner. I will deal with one or two others of the hon. Baronet's arguments later on. I would like to say, first, that there is hardly a Member who has

supported the Bill in its entirety. Some hon. Members have supported one portion and condemned another; some have endeavoured to pin the House to the question of principle and have asked it to altogether disregard the question of details. One hon. Gentleman said that the Division to-day will not be on the question of the details of the Bill, but on the question of whether or not the community is to obtain a share of the unearned increment of land. I can very well understand, looking at the details of the Bill, that hon. Gentlemen who desire to support the Bill are extremely anxious to pin the House to its principle rather than to its details. But I would suggest for the consideration of the House whether, when it is proposed in a Bill to alter so fundamentally the existing law of the land, it ought not to be shown by the authors of the Measure how it can be done, and that it can be done without manifest injustice. That is the great difference between a Resolution and a Bill. One of the many objections taken to a Resolution is that it commits the House to the assertion of a principle which it may be impossible to carry out in detail. But if you ask the House to insert in a Bill a novel principle, you ought to show how it is to be carried out. I shall have to allude to some of the details of the Bill which I do not think are defended in their entirety by any hon. Member. The hon. Member for Poplar (Mr. Sydney Buxton), who is as thorough-going a supporter of land reform legislation as anybody, asked the House to confine itself to the principle, and said he did not care much about the details, but was prepared to amend or cut them about in any way the House thought fit. The Bill consists of two parts—one part gives compulsory powers to Local Authorities to purchase land and facilitate its purchase; and the other part deals with what is understood by the term unearned increment in the value of land. In regard to the first part of the Bill, the hon. and learned Gentleman who brought forward the Bill spoke of the difficulties Local Authorities have in obtaining the land they require in consequence of the existing state of the law. He spoke in an extremely general way, and gave no illustration of the kind of

*Sir E. Grey*



difficulty in which Local Authorities found themselves. So far as I am concerned, having some knowledge of the subject, I say without hesitation that no difficulty of any moment exists at the present time in enabling Local Authorities to obtain land for all the various purposes for which they have statutory powers. The hon. and learned Member for Fife, I think it was, completely answered the hon. and learned Gentleman who proposed this Bill with regard to that. The hon. and learned Member enumerated a large number of Acts of Parliament connected with the public health, and many other matters in respect to which the Local Authorities have full powers to acquire land. The only cases in which, so far as I remember, the hon. and learned Gentleman said they were restricted were one or two particular ones—he did not specify them—in which some greedy landlord possessed the land outside a town, and thereby interfered largely with the development of the town. That was the only instance he alluded to, and he gave no particulars with regard to it. I have no doubt there may be one or two cases of that kind; but what I venture to say is this—if this Bill were passed it would add enormously to the difficulties of the development of towns, because it is perfectly clear that the landowners who have land in the neighbourhood of a town would be prevented—and effectually prevented—from dealing with their estates in such a way as to relieve the pressure on the town. But there is this further difference between what the hon. and learned Gentleman proposes by this Bill and the existing law with regard to the acquisition of land by Local Authorities. Parliament has laid it down that Local Authorities should only acquire land for the purpose of carrying out the duties which devolve upon them by Statute, and the proposal of the hon. and learned Gentleman is that they should acquire land—

“Where it appears to any County Council that it is for the interest of the inhabitants of any district within the county”

to acquire land. My own view is that this is entirely a novel, and, I think, quite an unjustifiable extension of the powers of Local Authorities. One of the reasons, I take it, why it is that Parliament has restricted Local

Authorities in acquiring land to the acquisition of such land as may be required for the purposes of the duties which devolve upon them is to secure that the ratepayers' money should be safeguarded, and that the Local Authority should not embark in land speculation or any other speculation which might be foreign to the powers and the duties that devolve upon them. But I think the proper course to pursue, if the hon. and learned Gentleman believes that there are any duties which ought to be devolved upon Local Authorities which they do not now possess, is to let Parliament consider what these duties should be. I do not pretend to say that Parliament has clothed Local Authorities with all the powers and duties which ought to devolve upon them; but I say that Parliament ought to consider very carefully what additional powers should be conferred upon them, and ought to decide for what purposes the land is to be acquired before it gives to County Councils or Local Authorities such a roving dispensation as that proposed by the hon. and learned Gentleman. I say it is not for the interest of the community, and certainly it is not for the interest of the ratepayer, that any further powers should be conferred on Local Authorities for embarking in an undertaking which might be foreign to their duties, and might involve speculative enterprises such as, I think, ought not to be encouraged. But there is the further question which has been alluded to by subsequent speakers, by the hon. Baronet who has just sat down, and, I think, by the hon. and learned Member for Fife—namely, that certain conditions which are now imposed on the action of Local Authorities in regard to the compulsory acquisition of land ought to be removed, and that instead of coming to Parliament with the cost attendant upon it, the Local Government Board ought to issue an Order which should not be provisional, as it is now, but an Order that should require no Parliamentary sanction. Well, that is a proposal which requires, and which ought to receive, very careful consideration. The first point to be considered is whether or not the existing conditions are such as entail great expense and a great grievance. I deny that they do. It will be, perhaps, a matter of

surprise to hon. Gentlemen who complain about the difficulties which Local Authorities now have to acquire land compulsorily for the purpose of their duties, to know that out of 2,130 Provisional Orders granted by the Local Government Board and their predecessors up to 1890, not more than 105 were petitioned against and referred to Select Committees; and that of those 105, no less than 88 were afterwards confirmed by Parliament. With regard to the inquiries held upon the applications of Local Authorities, the interference of the Local Government Board is very largely regarded as an assistance by such authorities. When works are undertaken with regard to drainage, or water supply, or gas, or matters of that kind, an experienced and professional expert is sent down from the Local Government Board, and he assists very largely by his advice and by his suggestions Local Authorities in dealing with the questions which come before them at that time; and, further than that, the way in which an Inspector is often able to reconcile the various conflicting interests leads to a harmonious settlement of the question hitherto in dispute, and no appeal to Parliament is required. It may be said, "Why not, then, abolish the right of recourse to Parliament?" But I do not think that is a good argument, because the Local Government Board, in dealing with these questions, knows that it has behind it an appeal to Parliament, if it should be considered necessary, and the Local Authorities know also that an appeal to Parliament may be taken; and I think that in all probability this inquiry and negotiation with regard to the acquisition of land by Local Authorities would not be half as well done, would not be half as successful, and would not be half as sound, if Parliamentary interference were done away with. Besides, it is a very strong order to say that we should take away the right of ultimate appeal from a man who might wish to exercise such a right. I do not think that any grievance worthy of the name has been suggested with regard to the existing mode of dealing with applications for the acquisition of land by Local Authorities. I am perfectly ready to admit, however, that several improvements could, perhaps, be introduced in the

*Mr. Ritchie*

provisional Order system; and if we were discussing that I should be quite willing to admit that much delay might be saved in connection with these matters by some proposals, or suggestions, or recommendations I should make. But we are not discussing that. Nor is this by any means the most important part of the Bill. There are some hon. Members supporting this Bill who are going to ride off upon this particular part, and ignore, if not condemn, the very much more serious proposals made in the other part. With regard to the other portion of the Bill, so far as I understand, the proposal contained in this Measure has never been approved of by any competent authority upon political economy, nor by any responsible statesman.

MR. J. MORLEY (Newcastle-upon-Tyne): Mill.

\*MR. RITCHIE: I beg the right hon. Gentleman's pardon—Mill never proposed any such extreme mode of dealing with land as that proposed by the hon. Member in this Bill. What John Stuart Mill proposed was some re-arrangement of taxation and rating.

MR. HALDANE: By taxation for the purpose of acquisition.

\*MR. RITCHIE: I thoroughly understand. I well know that several proposals have been made with regard to attacking the unearned increment by means of taxation, and I well understand what John Stuart Mill specially proposed; but never has there been such a monstrous proposal made with regard to this matter as has been placed in this Bill. Certainly, I think the right hon. Gentleman the Member for Derby (Sir W. Harcourt), who I am sorry to see has left the House, would never have made any such proposal. I should be glad to ask him, if he was here, whether he adheres to the opinion he expressed on this subject in 1874? Unfortunately the right hon. Gentleman sometimes has a habit of not being present when awkward points are likely to be raised. Perhaps it is only by accident. At any rate, the opinion which he expressed in 1874 was so sound that I do not like to deprive the House of the opportunity of hearing it. He said in Oxford in 1874:—

"I shall not discuss with you the unearned increment of land. That is an idea so illogical so unreasonable, so perfectly unjust, so abso-

lately philosophical, that it does not require a refutation. Neither shall I inquire into the nature and origin of property in land. I am content to assume that a man's right to his land depends on the same principle as your right to the coat on your back—namely, that you have paid for it."

I should be very glad to know whether the right hon. Gentleman adheres to that very sound doctrine, which he enunciated in 1874; or whether, with regard to that, as with regard to some other matters, he has changed the coat to which he refers in the speech which he then made? Now, the hon. Member for Poplar, when I was out of the House, I understand, alluded to some remarks I made the other day on the subject of betterment, and asked whether or not, from what I had then said, I had not admitted the principle of this Bill?

MR. SYDNEY BUXTON: What I said was, I understood that the right hon. Gentleman practically, the other day in Debate, accepted the principle of betterment; and I stated that, in my opinion, the principle in this Bill went no further than the principle of betterment on the same lines, and that this proposal only carried out the same principle for a public purpose.

\*MR. RITCHIE: I do not think it has anything to do with the principle of betterment. The principle which I said the other day was not an unjust one was this: that where it can be shown that a particular house or particular houses have been specially raised in value by a public improvement I saw no reason why the owners should not pay specially for that improvement. And that is the principle that is recognised by the existing law. But I made it very plain that, with regard to the proposal then before the House, I myself was unable to see how that principle could be so generally and widely applied with justice. But what is there in the betterment principle analogous to the proposal contained in this Bill? The real betterment principle is this: that if you can show that a particular property has been benefited, then let that property be taxed on that increment; but you are not going to benefit any property. What you are going to do is to worsen, and not to better, property. It has been said that this proposal is confined to land and houses, and is not one which is properly

applicable to other matters. For my part, I agree with the right hon. Gentleman the Member for Derby, and I cannot myself see how to dissociate land from any other kind of property. The hon. Baronet the Member for Northumberland (Sir E. Grey) said he was prepared to see this principle extended to other property; and he said, because it was not extended to other property why should we not take advantage of the Bill as it stands? He did not see any difference between this and any other property.

SIR E. GREY: I beg the right hon. Gentleman's pardon. What I said was, adopting, for the time being, the contention of the other side of the House, there was no difference.

\*MR. RITCHIE: The hon. Baronet adopted it for the purpose of argument, and said take this as the first step, and then afterwards apply it to other property. The hon. Baronet gave an illustration. He said take a piece of property, divide it into two parts; if you deal with only half the property, that is no reason why you should not deal with the other half.

SIR E. GREY: I said because you could not prove your title to the other part of the rateable property—it was not possible.

\*MR. RITCHIE: I do not wish to push the matter any further; but the principle of this Bill is, that where property has been increased, not by any action of the owner of the property, but by the development of the town, and the development of enterprise, the increased value of that property should be the property of the community. I have heard no satisfactory answer given to my hon. Friends who have contended that this principle affects other property, such as Consols, railway shares, and shares in all industrial undertakings; and I say there is no reason why it should not be applied to banks in towns, or shopkeepers in towns. It is quite true that a share of the increased value of a shop or a bank may be attributed to the energy or enterprise of those who have conducted the business; but it is perfectly obvious that a very large share of the increased value, at any rate, may be attributable to improvements made in the town, and to

the growth of the population of the town. Why, in that case, should there not be the same means of assessing what increased value is owing to this movement of the population, what increased value is owing to the industry and development of the town, and allow the town to take its share of it? Let us see for a moment what are some of the unjust details of this proposal? The property may be valued for purchase; let us see at what cost that is to be done to the landowner. We have first of all a Local Government Board inquiry. Then we have a valuation by an arbitrator, and both of these items of expense have to be incurred by the landowner, and the land does not benefit at all.

MR. HALDANE: The right hon. Gentleman will see that the Bill specially provides that the expense shall be borne by the County Council.

\*MR. RITCHIE: I am sure the hon. and learned Gentleman will know as well as any Member of this House, that the costs which are likely to be dealt with in the way he suggests are probably the smallest portion of the costs, which would be involved in the transaction which he proposes. And then again, if ultimately the land is to be purchased there is another appeal to arbitration with regard to the value, so that after depriving the landowner of the power of taking the increased value of the land at the time the purchase is made, you undoubtedly, by these operations, subject him to a very large and serious expenditure. And what is more, so far as I understand the Bill, there is nothing to prevent it being done once every 20 years. There is no reason why, at the end of 20 years, the County Council should not say, "Oh, this land has not risen in value sufficiently for our purpose! We will go on repeating the experiment for the next 20 years." So that they would be able absolutely to put the owner to a very considerable expense every 20 years, and for that time completely paralyse the operations of the landlord, and the action of the landlord with regard to his own property, and there is no part of the community, I venture to say, which would be likely to suffer more from that paralysis than those whom the hon. Member desires to benefit by the operation of his Bill. Let

us see for a moment what the result to the owner would be during the 20 years, with regard to which he is under an obligation to sell. Something has been said by hon. Members in supporting this Bill to the effect that the only injustice—they acknowledge there would be an injustice done—but they say that if there is an injustice, the only injustice that will be done to the landowner is that perhaps it will not be worth the while of the speculator to come in and buy the land. Why should the landowner be debarred from selling his land to the speculator? Why should he be debarred from the opportunity of selling his land in the best market? Let me tell the hon. Member that perhaps the very best thing for the town and neighbourhood may be that the land should be sold to the speculator, who would provide outside the town those houses which, perhaps, it is impossible to provide within the area of the town. Therefore, I cannot acknowledge that the fact of the speculator being shut out as a possible buyer is not also a gross injustice to the owner of the land, and very possibly it may be a great injustice to the town. Suppose during the first 20 years the owner thinks a favourable opportunity in the land market has arisen for him to dispose of his land? Prices are high, probably higher than they may remain, and he desires to sell his land. But he cannot do it, with that charge upon it no one will buy it. And then at the end of 20 years the County Council may turn round upon the owner and say, "We are very much obliged to you for the offer of your land, but we don't think that the time is favourable, and we won't buy the land." Then the owner is put in this position. For twenty years he has been debarred from dealing with his land—it may be 40 or 60 years, but I am taking the shortest term—and he has been debarred from selling at a time favourable to himself. Then it is thrown upon his hands at the end of twenty years by the County Council at a time when, probably, it has been greatly depreciated in value. Then, again, this Bill says that no added value is to be given to the landowner unless that added value is owing to some expenditure of his own. Suppose a Railway Company goes through his

*Mr. Ritchie*



land. That surely has nothing to do with any expenditure incurred by the town; yet, the owner of the land is not to profit by a development which has been caused, not by the action of a Public Authority but by the action of a private company. The County Council has no disability of that kind, and I understand that it may take the whole or any part of the land. Then what may they do? They may go and take the land where the railway has come, and where the value has enormously increased—an increased value for which the owner will receive not one penny—and they may throw on the hands of the owner the other portion which they have scheduled, but which may have depreciated in value. Could anybody conceive anything more grossly unjust than that? I doubt whether the hon. and learned Member himself would be prepared to say otherwise than that such a proceeding would be a gross and monstrous injustice—a spoliation and a robbery.

MR. HALDANE: The Bill gives the Local Government Board power to stop such an attempt.

\*MR. RITCHIE: The Local Government Board! I may be wrong, and if so, the hon. and learned Gentleman will correct me, but as I understand the Bill, the Local Government Board does not act in regard to this question except in the matter of scheduling for valuation.

MR. HALDANE: And purchase.

\*MR. RITCHIE: Oh, very well. We will assume that the Local Government Board is to step in to prevent this manifest injustice. But what have the Local Government Board to consider? That it is "for the interests of the inhabitants of the locality." If it cannot be shown that it is not to the interests of the inhabitants of the locality the Local Government Board has no option. Clearly it is very much to the interests of the inhabitants of a locality, if a railway has come on to the land and enormously increased its value, that the land should be obtained by the Local Authority, and what would prevent the Local Government Board doing anything else but giving their assent to the proposal? It would not be for them to say whether the thing was just or unjust, but only whether or not it was

in the interests of the inhabitants of the locality, and that being shown, I declare on my responsibility that no President of the Local Government Board could withhold his assent to such a transaction, which is a possibility quite within the four corners of the Bill. Such a proposal only requires to be stated to show its gross injustice. It is true the concession is made that if any expenditure is incurred in improvement by the owner during the twenty years, such expenditure will be valued. I am surprised that the hon. and learned Member did not put a clause in the Bill that no improvement should be made without the consent of the County Council. It would have been perfectly logical to say that, as they had got to pay for the improvement, no improvement should be made on the land for twenty years without the consent of the County Council. Then it has been said that there is no corresponding obligation on the County Council where the land may decrease in value, and that while the unfortunate owner is compelled to sell the land which increases in value he cannot compel the Council to buy if it decreases, although he is debarred of a market by the operation of the Bill. I believe the hon. and learned Member (Mr. Haldane) would be bound to insert in the Bill a clause compelling purchase in such a case. I think I have shown that the Bill proposes a grossly unjust and inequitable way of dealing with a principle which has never yet been recognised by Parliamentary law, and, so far as I am concerned, although I agree with hon. Gentlemen who have said that the operation of this Bill might possibly be to the present advantage of some particular locality, I do not believe that anything which is founded upon a gross and manifest injustice such as the proposals of this Bill are, can ever be for the permanent benefit of the community.

\*(5.22.) MR. CREMER (Shoreditch, Haggerston): It is very difficult in the few moments which remain to deal adequately with such an important question, and I shall not attempt to follow the right hon. Gentleman in the extraordinary speech which he has just delivered. I could not help reflecting during that speech that the supporters



of this principle of intercepting the unearned increment for the benefit of the community were getting on. The right hon. Gentleman was pleased to twit the right hon. Gentleman the Member for Derby (Sir W. Harcourt) with his inconsistency on this subject. Whether the right hon. Member for Derby was right in the opinions which he expressed years ago, or in those he entertains to day, does not matter much to us who have been for years pegging away for the realisation of this vital principle. The President of the Local Government Board says he cannot distinguish between property in a coat which is the product of human industry and property in land which is the gift of Nature. I am sorry that the right hon. Gentleman has not got further in learning his lessons. To us and to a daily-increasing number there is a vast distinction to be drawn. I sat at the feet of John Stuart Mill and heard this doctrine of the unearned increment formulated by that great philosopher. "An ounce of fact is worth a ton of theory"; and the results which have followed the construction of the Thames Embankment supply one of the strongest arguments which can be adduced in support of the principle affirmed in this Bill. Had that principle been accepted twenty-five or thirty years ago the ratepayers of London to-day would not be saddled with a legacy of debt incurred by the late Metropolitan Board of Works, for the cost of the Embankment would have been liquidated by the increase of from thirty to sixty per cent. which has taken place in the value of the adjacent land and property—an increase mainly due to the expenditure of £800,000 which the ratepayers of London incurred in the construction of the embankment, but which increase has gone into the pockets of the ground landlords of the locality. I should like to have given other practical proofs which could be found in the Metropolis in favour of the principle which this Bill affirms, but I have no desire to stand between the House and a Division, and I can only congratulate myself and those who supported John Stuart Mill twenty-five years ago that a principle which was then scouted as a monstrous idea has to-day been seriously discussed by the House of Commons.

*Mr. Cremer*

(5.30.) Question put.

The House divided:—Ayes 148; Noes 223.—(Div. List, No. 104.)

Words added.

Main Question, as amended, put, and agreed to.

Second Reading put off for six months.

#### RECREATION GROUNDS BILL.

(No. 201.)

##### SECOND READING.

Order for Second Reading read.

(5.50.) MR. LLEWELLYN (Somerset, N.): I ask the House to give this Bill a Second Reading. It is a short Bill, and does not need, I think, a long explanation. Its object is simply to allow recreation grounds to be provided in rural parishes, and for this purpose parishes may combine.

Objection taken.

Second Reading deferred till to-morrow.

#### ORDNANCE SURVEY.

(5.52.) MR. ROBY (Lancashire, S.E., Eccles): In moving that the Order of 11th February for appointing a Committee on the Ordnance Survey be discharged, I may, perhaps, say a few words explaining why I do so. I was fortunate enough to obtain the Order for the Committee very early in the Session, and the President of the Board of Agriculture, who was not at the time present, afterwards communicated with me, and said he thought that a Departmental Committee would be more likely to make a speedy and successful inquiry, and he was good enough to consult me as to the terms of Reference. I had great pleasure in acceding to his wish, and I hope the inquiry will lead to a satisfactory result.

Motion made, and Question proposed,

"That the Order [11th February], That a Select Committee on the Ordnance Survey be appointed, be read, and discharged."—*(Mr. Roby.)*

(5.53.) MR. BUCHANAN (Edinburgh, W.): I think my hon. Friend must allow that the proposal he has accepted is a considerable variation from the Order of the House at the beginning of the Session. That Order was to appoint a Committee to inquire into the

present management of the Ordnance Survey, and the best mode of accelerating the production of maps and to report thereon, but the reference to the Departmental Committee is of a much more limited character, only dealing with certain specific arrangements for the publication of maps. It may be invidious to decline to allow the hon. Member to withdraw the Order, but I think if he would postpone his present Motion until to-morrow, he might get an assurance from the right hon. Gentleman the President of the Board of Agriculture (Mr. Chaplin) that the evidence given before the Departmental Committee and also its Report shall be made public, at any rate that we should not suffer in that degree by the substitution of a Departmental Committee.

Debate adjourned till to-morrow.

**RAILWAY RATES AND CHARGES PROVISIONAL ORDER [CAMBRIAN, &c.] BILL.—(No. 10.)**

As amended, considered; read the third time, and passed.

**RAILWAY RATES AND CHARGES PROVISIONAL ORDER [CLEATOR AND WORKINGTON JUNCTION, &c.] BILL.—(No. 14.)**

As amended, considered; read the third time, and passed.

**RAILWAY RATES AND CHARGES PROVISIONAL ORDER [ISLE OF WIGHT, &c.] BILL.—(No. 15.)**

As amended, considered; read the third time, and passed.

**SUNDERLAND'S CHARITY BILL.  
(No. 296.)**

Considered in Committee, and reported, without Amendment; read the third time, and passed.

**TOWN HOLDINGS COMMITTEE.**

Ordered, That Mr. Heath be added to the Select Committee on Town Holdings.—(*Mr. Akers-Douglas.*)

**PUBLIC PETITIONS COMMITTEE.**

Eighth Report brought up, and read; to lie upon the Table, and to be printed.

**NATIONAL EDUCATION (IRELAND).**

Copy ordered—

“Of Return of the number of pupils on the roll of each ordinary National School in Ireland in the year 1890, distinguishing the pupils who were not in attendance during the year from those who were in attendance, and distinguishing also those whose attendance did not begin until after the beginning of the year and those whose attendance ceased before the year closed:

The Return to be arranged by counties.”—  
[And other Returns, set forth in tabulated form (see Votes, 4th May.)—(*Mr. Sexton.*)

**MOTIONS.**

**LOCAL GOVERNMENT (IRELAND) PROVISIONAL ORDER (NO. 7) BILL.**

On Motion of The Attorney General for Ireland, Bill to confirm a Provisional Order made by the Local Government Board for Ireland, under “The Public Health (Ireland) Act, 1878,” relating to the Rural Sanitary District of Fermoy, ordered to be brought in by The Attorney General for Ireland and Mr. Jackson.

Bill presented, and read first time. [Bill 319.]

**TENURE OF WORKMEN'S HOUSES BILL.**

On Motion of Mr. Donald Crawford, Bill to make provision with respect to the Tenure of Workmen's Houses in certain employments, ordered to be brought in by Mr. Donald Crawford. Mr. Arthur Acland, and Mr. Philipps.

Bill presented, and read first time. [Bill 320.]

**ADJOURNMENT.**

Motion made, and Question proposed, “That this House do now adjourn.”—(*Mr. Akers-Douglas.*)

(5.55.) MR. BRYCE (Aberdeen, S.): I take this opportunity of putting a question to the First Lord of the Treasury which can be answered in a few moments. Before Easter a Resolution was passed by the House, the Government agreeing, setting forth that legislation was needed to provide for public access to mountains and moorlands, especially in Scotland; and upon the acceptance of this Resolution by the Government a Bill was immediately brought in to give effect to it, in exactly the same terms as Bills which had been before the House in two preceding Sessions. My hon. Friend the Member for West Aberdeen (Dr. Farquharson) and myself have repeatedly moved the

Second Reading of this Bill after the time for taking Opposed Business, and have always been blocked by an objection from the other side of the House, and sometimes from a Member of the Government. This is a most unsatisfactory position, that the Government should accept a Resolution, and then refuse us any facilities, or even to exercise any influence on their supporters to enable us to bring forward a Bill founded on the Resolution. I wish to ask the right hon. Gentleman what is the attitude of the Government towards the Bill; whether they are willing to afford any opportunity for the discussion of the proposals to carry out the spirit of the Resolution; and whether they will state their objections to our proposals, and indicate any form which may be accepted by us, so that the Bill may go through?

(5.56.) MR. TOMLINSON (Preston): As I have several times stopped the Bill, perhaps I may be allowed to say that I have done so because the Bill is not in accordance with the Resolution.

MR. BRYCE: My question was not addressed to the hon. Gentleman.

(5.57.) THE FIRST LORD OF THE TREASURY (MR. A. J. BALFOUR, Manchester, E.): I know nothing about the course taken by my hon. Friend, a course which he has every right to take, and which is frequently adopted by hon. Members opposite towards Bills my Friend desires to promote. As to the attitude of the Government towards this particular Bill mentioned, while we undoubtedly did accept the proposition that something should be done to deal with this subject, we have never given assent to this Bill by speech or vote, nor do we think that in its present shape it is a Bill which the House ought to accept. The hon. Gentleman asks me to give the reasons why the Government object to the Bill; but the few minutes now at my disposal will not admit of that, even if this were the opportunity for doing so. I do not think that any Bill on the subject could pass the House without discussion, and time for that discussion we have not to give. If the hon. Gentleman will confer with my right hon. and learned Friend near me (the Lord Advocate), possibly we might come to an understanding as to what kind of Bill would be acceptable.

*Mr. Bryce*

(5.57.) MR. ANGUS SUTHERLAND (Sutherland): Does not the right hon. Gentleman think that the Government are under an obligation to bring forward a proposal of their own if they refuse this Bill? Does the right hon. Gentleman definitely decline to do so?

MR. A. J. BALFOUR: I will consider that.

(5.58.) MR. MACARTNEY (Antrim, S.): I wish to ask the right hon. Gentleman a question with reference to the business on Friday evening next. Can the right hon. Gentleman give us any information as to whether the Motion which stands on the Order Book in the name of the hon. Member for South Armagh (Mr. Blane) is withdrawn; and, if so, what other business is to be proceeded with?

(5.59.) MR. A. J. BALFOUR: I have heard a rumour to that effect; but I have no official knowledge. Of course, it is in the power of hon. Gentlemen to put down Notices of Motion for Fridays, when they will be discussed in their order of precedence.

(5.59.) DR. TANNER (Cork Co., Mid): In reference to the course of business, may I ask the right hon. Gentleman whether he persists in his proposal to make the discussion of the Irish Education Bill contingent upon the passing of the Irish Local Government Bill; and whether he intends to so arrange matters that the smaller Bills shall take precedence, and the important Education Bill be contingent on the passing of these?

MR. A. J. BALFOUR: No; the hon. Gentleman is mistaken if he supposes anything of the kind.

DR. FARQUHARSON (Aberdeenshire, W.): I wish to express my strong dissent from the line taken by the Government towards the Access to Mountains Bill after accepting the Resolution. I trust that facilities may be given for the discussion of that Bill, or that the Government will carry out their expressed intention by bringing forward proposals of their own.

It being Six of the clock, Mr. Speaker adjourned the House without Question put till To-morrow.

## HOUSE OF LORDS,

*Thursday, 5th May, 1892.*

## SAT FIRST.

The Earl of Denbigh, after the death of his father.

The Lord Heytesbury, after the death of his grandfather.

The Lord Romilly, after the death of his father.

LOCAL GOVERNMENT (SCOTLAND)  
ORDER (GLASGOW, &c.) BILL—  
[H.L.]

Read 3<sup>a</sup> (according to order); amendments made; Bill passed, and sent to the Commons.

POLYNESIAN LABOUR IN QUEENSLAND.

## QUESTION—OBSERVATIONS.

\*THE EARL OF KIMBERLEY: My Lords, your Lordships may have observed that it has been reported that the Government of Queensland is about to take steps for the renewal of the importation of Polynesian labourers, usually I think called Kanakas, into that colony. The subject is one of considerable gravity, and I have no doubt it has occupied the attention of the Colonial Office, and that the noble Lord the Secretary of State will be glad of an opportunity of giving some explanation as to the course which is to be taken. This immigration went on for a considerable number of years, and I regret to say that it was attended with very serious abuses. There are two kinds of abuse which may arise from an immigration of that kind. One is as to the circumstances under which the labourers are recruited, and the other is as to the treatment of them after they arrive in the colony. To take the second point first, I am far from supposing that the employers in Queensland are in any way inferior in humanity to employers generally; but it has been found that where coloured labour of an inferior race is employed,

unless very careful measures are taken, there is apt to be oppression and hardship, if not even cruelty. Your Lordships are well aware that there is an extensive coolie emigration from India to our colonies, which has always been watched with the utmost possible care and rigour by the Government of India, who will not allow coolies to be imported into our colonies without the most stringent measures being taken for their good treatment. I am happy to believe that those measures have been successful, and that in our colonies the coolies are well treated, and that there is no reason to complain in that respect. But the Government of India always hold in their hands a most powerful engine, namely, that at any moment, if they are not satisfied as to the treatment of the coolies—either during the passage, or after their arrival in the colony—they at once threaten—and they would not hesitate to execute the threat—that they will stop the whole emigration; and, as regards foreign countries, when they have obtained permission to import coolies into their colonies, the same powers exist. I mention that to show how necessary such precautions are. I do not, however, doubt that the Government of Queensland will take effective measures for the protection of the labourers after they arrive in the colony. That is a matter entirely within their own power; the labourers are there within the colony itself, and a due vigilance on the part of the Government would no doubt prevent any abuse on the part of those who employ the labourers. But the case is very different with regard to the recruitment of the labourers in the Polynesian Islands. A Commission of Inquiry that took place some years ago showed that there had been most grave abuses and most shocking cruelty connected with the recruitment; and it is evident that, whatever precautions you may take, it is exceedingly difficult to prevent such abuses; dealing as recruiters do with those who are in fact savages, and, owing to the conditions under which they are to be employed, abuses are almost sure to arise. But worse than that, it was very often found in past times,—I hope it was



not so in the more recent years before the immigration was stopped,—that there was a distinct kidnapping of labourers, and that, in point of fact, it did not at one time differ very much from the slave trade. My Lords, the matter is not one for which the Government of Queensland is alone responsible, because it has no jurisdiction on the high seas or in the islands from which these labourers are to be recruited. The responsibility therefore must rest to a certain extent upon the Imperial Government to see that the regulations as far as possible are such as will prevent abuses. I trust the regulations will prevent abuses; that they will reduce them very much I have no doubt; but I regret to say that, after the experience I had formerly on this subject, I am afraid no measures will prevent some abuses arising. My Lords, this is not a matter which concerns us alone, because no doubt our proceedings will be very carefully watched by foreign nations. We have always shown the greatest jealousy of any immigration that could partake in the slightest degree of slave recruiting, and it is not surprising, or perhaps unreasonable, that foreign nations should view with great jealousy, and even some surprise, the fact that we should sanction a traffic attended by the evils that this traffic unfortunately brings with it. I do not wish at all to exaggerate the matter, and I fully recognise that in the position in which Queensland is, having very large territories where the climate is tropical and cannot be properly cultivated by white labour, the prosperity of the colony seriously depends upon its obtaining labour from the islands. I remember that application was made some time ago to the Government of India to sanction coolie immigration; I do not know what the result was, but I suppose there was some obstacle in the way which prevented its being allowed. If it were possible to make arrangements by which an immigration of Indian coolies could take place, I should view these proceedings with infinitely less suspicion; I believe that an emigration of coolies from India might be so regulated from the nature of the case—the jurisdiction being in the hands of the Government of India,

*The Earl of Kimberley*

and they having in their hands the power to stop the emigration if any abuses arose—that there would be no hardship or oppression, but an advantage to the coolies who might go to Queensland, and also to Queensland itself. However, if we cannot see our way to some such immigration, and, if it is thought right, after full consideration, that this immigration of Kanakas should be renewed, I hope and trust and believe that Her Majesty's Government will take every precaution in their power to prevent, as far as possible, the abuses which I am afraid are almost certain to attend such recruitment in these islands. My Lords, I beg leave to ask the Secretary of State for the Colonies with reference to the reported intention of the Government of Queensland to renew the recruitment of Polynesian labourers for service in that colony, what safeguards will be taken to prevent the abuses which attended such recruitment in former years?

\*THE SECRETARY OF STATE FOR THE COLONIES (Lord KNUTSFORD): My Lords, in reply to the noble Earl, I have to state that I have not yet received any copy of the Act, which I believe has been passed by the Queensland Legislature with reference to the renewal of the employment of Kanakas. I am therefore unable to inform your Lordships what precautions have been taken to guard against the abuses which, some years ago, attended that system; nor am I able to judge whether those precautions are likely to be sufficient. I may, however, say that I feel satisfied that the Colonial Government must have given very careful attention to this special branch of the subject; and in support of this view I may refer to different statements which have appeared in the papers, and which have been made by Sir Samuel Griffith, the Premier of Queensland. It will be remembered that Sir Samuel Griffith for many years opposed this labour system; but last year he saw reason to change his opinion, and to support the renewal of the system, on the ground, as I gather, referred to by the noble Earl, that it is found impossible to carry on the sugar industry in Queensland with white labour only, and that it is necessary, therefore,



to introduce native labour. I may also mention, as another ground for my belief that the Queensland Government must have paid close attention to this subject, that the Admiral on that station, Lord Charles Scott, was asked by the Government to report upon the subject and to favour them with any suggestions which he could make, which would tend to prevent any abuse arising from the recruiting, and he not only forwarded a Report of his own opinion and suggestions, but also sent a Report and opinion of Captain Davis who has had considerable experience in the Polynesian Islands. There can be no doubt that the Queensland Government will consider those Reports, and, looking to the interest that has been taken in the question, the Colonial Government must have been fully alive, not only to the difficulties of the case, but to the necessity of taking ample precautions to prevent the recurrence of such abuses as the noble Earl referred to. Perhaps I may be allowed, before I sit down, to remove what I think is a misapprehension upon this subject. The noble Earl has explained that the question must be considered first as regards the recruiting of natives, and secondly as regards their treatment when they are on the plantations. I am happy to say as regards the second side of the subject, that, so far as we are informed, there has been no question that these natives when employed on the plantations have been well treated. We have had no representations to the contrary, and, although I desired that a search should be made, we do not find any official complaints of the treatment of natives when once they were on the plantations. I would also like to mention, as confirming this view, that, while the number of labourers who have been imported in the last few years has distinctly increased, the mortality has largely decreased; that there was in the Savings Bank on the 31st December, 1890, a sum of £17,659 to the credit of the islanders who were then in Queensland, and that nearly £2,000 was spent in 1890 on hospitals alone for these labourers. I mention these facts as confirming the view, which I understand the noble Earl to share, that there is no

fault to find with the treatment of the natives in the colony. Then, my Lords, the abuses to which the noble Earl has referred, and which have received most justly the strong condemnation, I think I may say, of the civilised world, were entirely confined to the system of recruiting labourers in the islands. Those abuses came to light in 1884 when the Government agent, and the recruiting agent, the captain, and some of the crew of the vessel *Hopeful* were tried in Queensland for offences committed in the recruiting by that vessel. Two of the men—the second mate and boatswain—were tried for murder and sentenced to death, though their sentence was afterwards commuted to penal servitude for life; and five others were also sentenced to penal servitude, two I think for life, and three for shorter terms. Then came the Commission to which the noble Earl referred, which reported early in 1885; but I desire to call attention to the fact that the Commissioners were not instructed to inquire into the subject generally, but were required to report upon the voyages made by six vessels including the *Hopeful*. The abuses which were reported upon by that Commission, some of which had also been brought forward at the trial of the crew of the *Hopeful*, were of a shameful character; but considering that these abuses were confined to certain voyages, and bearing in mind that the natives were taken from special groups of islands close to New Guinea, and which have now been annexed to British New Guinea, I think it is perhaps hardly fair to condemn the whole system of recruiting on account of those very serious abuses. And I think it is fair to argue thus, because since 1885 the recruiting has been going on, and, as I have said, an increased number of natives has been introduced each year into Queensland, and yet there has been no representation and no complaint of any abuse, except it may be of some partial infringement of the regulations. Certainly no complaint of any serious infringement of the regulations has, so far as I am aware, been brought to our notice. It is to be hoped, therefore, that the convictions and sentences passed in 1884 and the very careful inquiry subsequently

made by the Commission will serve as a deterrent and warning to men who would be inclined to commit such abuses again. I do not think, my Lords, that any good will be gained by my now pointing out what precautions and what conditions Her Majesty's Government would look for in the Queensland Act, because I am not yet aware what precautions have been inserted. I believe it to be really necessary for Queensland that native labour should be introduced. I think there is a great deal of force in what the noble Earl has said, that if coolies could be introduced we should have the assistance of the Indian Government to help us in preventing the recurrence of any abuses. But in any case it is clearly the duty of the Queensland Government to see that every precaution is taken to avoid the recurrence of the abuses in the recruiting; to secure the continuance of good treatment of these natives in the colony; and to secure their safe return. I can assure your Lordships that Her Majesty's Government will support the Queensland Government in any precautions, however stringent, to effect those objects, and will also, as the noble Earl desires, pay special attention to this question when the Queensland Act is before them.

\*THE EARL OF KIMBERLEY: If I may be allowed one remark, the answer of the noble Lord is in many respects satisfactory; but I observe that he speaks only of supporting the Queensland Government. According to my view I do not think that the Queensland Government alone is concerned, but the Imperial Government. It is quite clear that this immigration can only go on with the permission of the Imperial Government. I am not saying that it ought to be refused; but I do say that the Imperial Government ought to see that the precautions which are taken are sufficient, and such as it thinks ought to warrant it in permitting this immigration to take place.

\*LORD KNUTSFORD: I did not make myself quite clear. What I mean by supporting the Queensland Government is that there may be a certain party in the colony who would oppose stringent regulations, and I mean that we should therefore support any regulations that are in the Act. I do not at all desire

*Lord Knutsford*

to shirk the responsibility of the Imperial Government in considering this question.

House adjourned at five minutes  
before Five o'clock.

## HOUSE OF COMMONS,

*Thursday, 5th May, 1892.*

### LONDON COUNTY COUNCIL (GENERAL POWERS) BILL.

Ordered, That Mr. Baumann, Mr. Sydney Buxton, Sir John Colomb, Mr. Cremer, and Mr. Kimber be Members of the Select Committee on London County Council (General Powers) Bill, with four Members to be added by the Committee of Selection.—(*Mr. Akers-Douglas.*)

### MESSAGE FROM THE LORDS.

That they have agreed to—Pilotage Provisional Order, Local Government (Ireland) Provisional Order (No. 1) Bill, without amendment.

## QUESTIONS.

### STAMP DUTY AND FRIENDLY SOCIETIES.

SIR R. PAGET (Somerset, Wells): I beg to ask the Chancellor of the Exchequer whether a cheque drawn upon the treasurer of a Friendly Society—whether a banker or not—and endorsed "not negotiable," is liable to be charged with Stamp Duty, or whether it would be properly exempted therefrom under the provisions of Section 15 of the Friendly Society's Act, 1875?

THE CHANCELLOR OF THE EXCHEQUER (Mr. Goschen, St. George's, Hanover Square): I may refer my hon. Friend to my answer of 21st March, when I gave the grounds upon which it is held that such a cheque is liable to be charged with Stamp Duty.

SIR R. PAGET: Will the right hon. Gentleman say whether in that answer he referred to a cheque not so marked—does it equally apply to the case in my question?

MR. GOSCHEN: I am informed that is so.

**MAGHERAFELT COURTHOUSE.**

**MR. M'CARTAN** (Down, S.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether his attention has been called to the *Irish News* of the 28th April, containing a report of a statement made by County Court Judge Neligan, Q.C., at Magherafelt Sessions on Wednesday last, to the effect that the state of the Courthouse there was "a shame and a scandal"; whether he is aware that His Honour felt obliged to adjourn the Court, to the great inconvenience of the public; that the same Judge has repeatedly called attention to the intolerable state of the Courthouse; and that the matter was brought before the Grand Jury of Derry at the last Assizes, but was opposed by the County Surveyor; and whether, considering the danger to the health of the Judge and the Bar and the inconvenience to the public, some steps will be taken to render this Courthouse fit for the sitting of a Court?

\***THE CHIEF SECRETARY FOR IRELAND** (Mr. JACKSON, Leeds, N.): The subject-matter of this question is one over which the Executive Government have no control, this matter resting wholly with the Grand Jury. I have endeavoured to obtain some information on the matters of fact, but so far no Report has reached me.

**MR. SEXTON** (Belfast, W.): Is the right hon. Gentleman aware that again on Friday the Judge referred to the objectionable smells and state of the Court as dangerous to health, and will he address a remonstrance to the Derry Grand Jury on the subject?

\***MR. JACKSON**: As I have said, we have no responsibility, power, or control in the matter, but I have endeavoured to gather some information as to matters of fact.

**MR. SEXTON**: Unless something is done we must take the opinion of the House upon the subject.

**LARNE WORKHOUSE.**

**MR. M'CARTAN**: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether his attention has been called to the Report of Colonel Spaight, Government Inspector, containing most serious complaints as to

the state of the workhouse at Larne, County Antrim; whether he is aware that, at the meeting of the Larne Board of Guardians on Wednesday last, Dr. Killen, the Medical Officer, said he agreed with most of what Colonel Spaight had complained of; whether he will state what these complaints are; and if, in the interest of the poor inmates, anything has since been done to remedy the causes of complaint?

**MR. JACKSON**: The Report of the Local Government Inspector mentioned was generally of a satisfactory nature in regard to the Larne Workhouse. He suggested, however, an improvement in the sanitary arrangements, and also the making of some structural alterations, in both of which the Medical Officer concurred. The Board of Guardians have taken steps to carry out the sanitary proposals, and the Local Government Board are communicating with them in regard to the proposed structural alterations.

**REGISTRATION OF TITLES OFFICE (IRELAND).**

**MR. M'CARTAN**: I beg to ask the Attorney General for Ireland whether he is aware that the Central Office for the Registration of Title, under The Local Registration of Title (Ireland) Act, 1891, passed in August last, did not open for business until the 1st April, although the Act came into operation on the 1st January last; if he will explain the cause of this delay; whether he will state the number of vesting orders now awaiting registration, and if only one mapper has been provided who cannot well complete more than two or three maps per diem, notwithstanding the vast number of orders awaiting registration; and will the Treasury make arrangements to provide an extra staff until the accumulation has been disposed of?

**THE ATTORNEY GENERAL FOR IRELAND** (Mr. MADDEN, Dublin University): I have been informed by the Registrar that the Office for the Registration of Title was opened on the 1st January, 1892, as required by the Act, but that he was not in a position to complete the registry of estates until about the 1st April, as he had not the means of making the maps re-

quired by the Act until then. The question of additional assistance for mapping purposes is now under the consideration of the Treasury. There are now 1,255 vesting orders awaiting registration. Only two of those cases are in the Registry Office. The remainder have not left the Land Commission. I sincerely hope that the necessary assistance will shortly be afforded to the Office, in order that this large number of applications may speedily be brought under the provisions of the Act.

#### ALDERSHOT CHIEF PAYMASTER.

MR. COBB (Warwick, S.E., Rugby): I beg to ask the Financial Secretary, War Department, if he will explain why, when Colonel Rippon recently vacated the post of chief paymaster at Aldershot, Lieutenant Colonel Whittington was appointed to it over the heads of twelve officers senior to himself in addition to nine others who had already been passed over for promotion, in view of the fact that, in January, 1888, the Accountant General transmitted to the Treasury a Report upon the accounts of the 5th Lancers, from which it appeared that the fraudulent deficiencies which had been discovered in them were partly attributable to the fact that Colonel (then Captain) Whittington, as paymaster of the regiment, exercised no control over the books or accounts, and that Sir Reginald Welby, in a letter of the 11th February, 1888, to the Financial Secretary of the War Office, stated that the frauds resulted from a combination of ignorance and indolence on the part of successive paymasters, including Colonel (then Major) Whittington, and added that the Lords of the Treasury thought Major Whittington deserving of grave censure, and regretted that the Secretary of State should not feel able to make him pecuniarily liable for any part of the loss?

THE FINANCIAL SECRETARY, WAR DEPARTMENT (Mr. BRODRICK, Surrey, Guildford): Colonel Whittington was appointed to the Pay Department in 1878, and, owing to pressure arising from active operations at the time, was at once placed in charge of the accounts of a regiment, which were in confusion, with scanty experience and insufficient help. The censure

*Mr. Madden*

passed on him by the Treasury ten years later had reference to his trusting too much, in 1878, to a fraudulent clerk. During the 14 years which have elapsed since then Colonel Whittington has shown himself to be a first-rate paymaster; he was specially recommended for promotion for his services in Egypt; was specially appointed to superintend the introduction of the new pay system at Aldershot, the largest pay charge in the Army; and his promotion was due to his capacity for special work, for which he was strongly recommended by the military authorities under whom he had served.

#### SMALL-POX AT KING'S NORTON.

MR. COBB: I beg to ask the President of the Local Government Board whether he is aware that in the year 1891 there were two fatal cases of malignant small-pox in the King's Norton Union—namely, those of Henry Burnett and George Weake; that in the case of Henry Burnett no official record has been made, either on the certificate of death or by the Medical Officer, that he had been vaccinated and that this was proved by four large marks; and that in the case of George Weake the Medical Officer, in his annual Report, stated that it was a case of the most malignant kind, and that, as far as he could glean, there had been no proper vaccination, as no marks were visible; whether his attention has been drawn to the statement of George Weake's widow and two elder daughters that he had two large and remarkably deep marks of vaccination on his left arm, and also to the father's statement that he remembers his being vaccinated; and whether he will cause inquiries to be made into both of these cases, with a view of having truthful official records of them entered?

\*THE PRESIDENT OF THE LOCAL GOVERNMENT BOARD (Mr. RITCHIE, Tower Hamlets, St. George's): I have received no information that there were two fatal cases of small-pox in the King's Norton Union during the year 1891. The only representations that I have received on the subject are to the effect that there was one such case, which would appear to be that of George Weake. As regards this case,



I have been informed during the present week that certain relatives of the deceased alleged that he bore marks of vaccination, and that the father of the man remembers his being vaccinated. On the other hand, the Medical Officer of Health in his annual Report, distinctly states that no vaccination marks were visible. It does not, however, appear to me that there is any sufficient ground for an inquiry with regard to these conflicting statements.

MR. COBB: It is very important to have correct information of such cases. Will the right hon. Gentleman have further inquiries made, and also into the case of Henry Burnett?

\*MR. RITCHIE: I have no information as to the other case; but I presume what I have said of the one case, would apply to the other. I think it would be extremely difficult from any inquiry made now to ascertain the facts of the case in connection with people who are now dead. I do not see how it is possible to obtain correct information. But, even if it were possible, I do not think it is denied that persons who were vaccinated in their youth, and who have not been re-vaccinated in later life, are liable to attacks of small-pox.

#### "POST OFFICE LONDON DIRECTORY."

MR. WEBB (Waterford, W.): I beg to ask the Postmaster General if he will explain why the copies of the *Post Office London Directory*, which used to be supplied for the use of the public to local metropolitan offices, are not now so supplied, and would there be any objection to rescinding such recent Order, if any?

THE POSTMASTER GENERAL (Sir J. FERGUSON, Manchester, N.E.): The *Post Office London Directory* is not an official publication, and it is not the practice to supply copies to post offices for the use of the public, or even copies to all post offices. Directories are, of course, supplied for official purposes where they are required, and when a Directory is available at the public counter without much inconvenience applicants are allowed to refer to it.

#### DIVULGING CONTENTS OF TELEGRAMS.

MR. POWELL WILLIAMS (Birmingham, S.): I beg to ask the Postmaster General under what circumstances the girl Palfrey, recently convicted at the Birmingham Quarter Sessions of conspiracy, and fined £10, was not proceeded against for the offence of divulging the contents of a telegram, of which she was admittedly also guilty; and what is the penalty attaching to that offence?

SIR J. FERGUSON: Among the charges on which the girl Palfrey was indicted was one of divulging the contents of a telegram, but the essence of all the charges was that of conspiracy to defraud, and to this she pleaded guilty. After such plea, I am informed that it would have been an unusual course to proceed with other counts of the indictment based on precisely the same facts. All of these facts were fully disclosed to the Court. Moreover, the Judge himself suggested that it would be unnecessary to press the other counts. The divulging of the contents of a telegram, like conspiracy to defraud, is a misdemeanour, and the maximum penalty prescribed for it by Statute is twelve months' imprisonment with or without hard labour.

#### BALLYCLOUGH PROCLAIMED MEETING.

MR. WILLIAM O'BRIEN (Cork Co., N.E.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland by what authority, on whose sworn information, and for what reason, the public meeting announced to be held at Ballyclough on 25th April was proclaimed and suppressed?

MR. JACKSON: I am informed that the meeting referred to was not publicly announced, but the Police Authorities had reason to know that it was being arranged, and that its object was to denounce and intimidate certain persons who had taken evicted farms. They accordingly directed an information to be sworn, upon which the meeting was proclaimed.

### IRISH LAND SUB-COMMISSION IN COUNTY LIMERICK.

MR. W. ABRAHAM (Limerick, W.): I beg to ask the Attorney General for Ireland if he can now state when the Sub-Commissioners will hold sittings at Newcastle West, Limerick County, to hear fair rent applications?

MR. MADDEN: I have communicated with the Land Commission on the subject, and they inform me that it is not now in their power to fix a date for the meeting of the Sub-Commission, having regard to the claims of other districts.

### EDINBURGH TELEGRAPH STAFF.

MR. WALLACE (Edinburgh, E.): I beg to ask the Postmaster General whether he will be able to reply, at an early date, to a Petition in October last from the second class telegraph staff in Edinburgh, praying that the first class, which has been reduced by twelve, may again be placed at the proportion of one in three, at which it has elsewhere stood since 1881?

SIR J. FERGUSSON: The prayer of the Petition cannot be acceded to. The office in question was carefully revised last year. Substantial improvements were made, which benefited the whole staff; and the numbers of each class were adjusted not by proportion, but according to the duty to be performed.

### THE "ROYAL SOVEREIGN."

MR. PENN (Lewisham): I beg to ask the First Lord of the Admiralty whether the engine-room artificers of the *Royal Sovereign* are to be reduced in number from 18 to 12; whether the difference in numbers is to be made up by the promotion of chief stokers to the position of engine-room artificers; and whether experience shows that chief stokers so promoted are as efficient as engine-room artificers in keeping in working, and, in the event of a breakdown, in repairing, the various engines and machinery in ships of war?

\*THE FIRST LORD OF THE ADMIRALTY (Lord G. HAMILTON, Middlesex, Ealing): The complement of engine-room artificers in the *Royal Sovereign* will be reduced from 18 to

12 as stated, and the difference made up by the substitution of six chief stokers for six engine-room artificers, as it is considered that these men, from their long experience, are better qualified for certain kinds of work such as water-tenders, than junior engine-room artificers. Chief stokers would not be so efficient for making good defects in the event of a breakdown of machinery as engine-room artificers; but it is not intended that they should be borne for such a purpose, the number of engine-room artificers now allowed being considered sufficient to meet all mechanical requirements.

MR. GOURLEY: I beg to ask the First Lord of the Admiralty whether the recent engine trial of the ironclad *Royal Sovereign* gave the estimated contract speed, under natural and forced draught, continuously or only collectively; whether the trial was in smooth water, and with or against the tide; if so, is it intended further to test and record the vessel's speed in rough weather, and against a head wind, for the purpose of ascertaining how long she can be navigated under forced draught without injury to the boilers or crew confined in the engine-room; and whether it is true that a slight leakage was observed during the four hours' trial in the tubes of two of the boilers?

\*LORD G. HAMILTON: There was no contract speed to be attained in the case of the *Royal Sovereign*. The contract was for the development of 9,000 h.p. for eight hours, and 13,000 h.p. for four hours. The actual development averaged 9,640 h.p. for eight hours, and 13,000 h.p. for four hours. The corresponding speeds realised were about 16½ and 18 knots, as against estimated speeds of 16 and 17½ knots. The trial was in smooth water, with and against tide. Trials at sea are made as matters of course after ships are commissioned, but no trials under forced draught, such as those suggested, are contemplated. They are not required. The engine-room is never under air pressure. A slight leakage did occur, during the fourth hour only of the maximum test, and it was then found to be due to preventable causes.

## LEWES NAVAL PRISON.

MR. GOURLEY (Sunderland): I beg to ask the First Lord of the Admiralty when he anticipates having the Naval Prison at Lewes in a condition to receive the certificate of the Home Office; and whether he is aware that the absence of this certificate renders the imprisonment of the men sent to the Naval Prison illegal?

\*LORD G. HAMILTON: No such certificate from the Home Office is necessary, as the Admiralty have full powers under Statute to make their own regulations for the administration of Naval Prisons, including the appointment of Inspectors. In consequence, however, of the Visitors having questioned the size of the cells at Lewes Naval Prison, the Admiralty requested Sir Edmund Du Cane to inspect the Prison; and, acting on his suggestions, steps are now being taken to bring the cells more into conformity with modern requirements.

## CHINESE IMMIGRANTS TO SINGAPORE.

MR. SAMUEL SMITH (Flintshire): I beg to ask the Under Secretary of State for the Colonies whether his attention has been drawn to the large importation of Chinese into Singapore, whence they are shipped to Java, Borneo, Sumatra, Queensland, and other places in the Eastern Archipelago, under contract as labourers, and that they have to work for the "agent" until the charges for their transport have been paid off; whether he is aware that last year 160,000 Chinese were thus imported into Singapore, of which number not 10,000 had the remotest chance of stopping on British territory, or where British law exists; and whether, considering the abuses to which the contract system is liable, the Government can see their way to put down this traffic and prevent Singapore from becoming a vast receiving and exporting centre for what differs little from the slave trade?

THE UNDER SECRETARY OF STATE FOR THE COLONIES (Baron H. de WORMS, Liverpool, East Toxteth): The Secretary of State is aware that a large number of Chinese immigrants come to Singapore, and that some, but

only a small proportion of them, go on from Singapore to Java, Sumatra, and other places, under contracts of service by which they are bound to repay out of their earnings the cost of their passages. The Returns for last year have not been received, but it appears from the Returns for 1890 that the whole number of Chinese who arrived at Singapore was 127,936, of whom about 117,000 paid their own passages, and on landing were free to go where they pleased. I may add that in the same year 80,000 Chinese returned from the Straits Settlements to China *via* Hong Kong. A Commission has recently inquired into the subject in the colony, and the Secretary of State is expecting to receive the Governor's recommendations on the best means of preventing abuses which may arise from the system of contract emigration from China to and through Singapore.

## NAVAL RATIONS.

CAPTAIN PRICE (Devonport): I beg to ask the First Lord of the Admiralty what is, approximately, the difference between the total value of the rations allowed annually to officers, seamen, and marines of the Fleet, and the amount actually served out; why is not the whole of this difference returned to the men; and can he state, approximately, the extra cost to the country that would be incurred for storage, freight, &c., if the whole ration was taken up?

\*LORD G. HAMILTON: The difference between the ration to which the seaman is entitled and that which he takes up is, approximately—value of total ration per man per diem, 9½d.; value of what he takes up, 6d.; paid as earnings per man per diem, 2½d. The difference of 1d., which amounts to about £45,000, is principally due to the difference between prices paid as savings and the actual cost of the article, which varies from year to year. The taking up of savings is purely optional on the part of the men, though it is very popular in the Service. It is not possible to estimate approximately the extra cost to the country that would be incurred for storage, freight, &c., if the whole ration was taken up. Probably the freight might be slightly increased, but, on the other hand, the country

would gain by being able to calculate more closely the consumption which is now variable, owing to savings, and by reduction of clerical staff on board ship, the calculations consequent on the savings system occupying much time and giving much trouble.

#### THE BREAD UNION (LIMITED).

MR. WALLACE : I beg to ask the President of the Board of Trade whether the proceedings in the liquidation of the Bread Union (Limited) are subject to his cognisance, under Section 25 of the Companies (Winding-up) Act, or otherwise; and, if so, whether he can say if the result of a recent criminal prosecution of the promoters of the Company by the liquidator was a promise to pay £1,000 in cash and £4,000 in bills extending over eighteen months; whether the cost of this procedure amounted to £1,500 or what other sum; whether he can say how much of the fruits of the prosecution have been actually recovered for the benefit of creditors; whether the liquidator is contemplating or taking steps to prosecute civilly the directors or any of them; and whether it is the duty of the Inspector General in company liquidation, or of whom else, to restrain prosecutions by liquidators through their solicitors that are likely to result mainly in large solicitors' and other costs, but in little, if any, gain for creditors?

THE PRESIDENT OF THE BOARD OF TRADE (Sir M. HICKS BEACH, Bristol, W.): I am informed that the Bread Union (Limited) is being wound up voluntarily under the supervision of the Court. The proceedings are not within the cognisance of the Board of Trade under the 25th section of the Companies (Winding-up) Act. I am, therefore, unable to furnish the information asked for by the hon. Member. The Act of 1890 does not empower the Inspector General to exercise any control over the administrative action of liquidators in such cases.

#### MEDWAY BOARD OF GUARDIANS.

MR. PATRICK O'BRIEN (Monaghan, N.): I beg to ask the President of the Local Government Board whether it has come to his knowledge

that nine Poor Law Guardians returned to the Medway Board were elected by forged election papers, and that 180 of such forgeries have been detected; that 68 of these were brought to the notice of the Returning Officer before the declaration of the poll, and by him admitted to be forgeries; whether he is aware that many of the votes so forged were in the names of ratepayers who were known to be dead or to have left the district; that these papers, to the number of 68, were returned as undelivered to the Returning Officer and by him locked in a safe, from which they were abstracted and forged, and presented; and whether, under all the circumstances, he proposes to institute an inquiry to test the legality of the election of the nine Guardians, and bring the forgers to justice?

\*MR. RITCHIE: The only communication which the Local Government Board have received on this subject is one from a solicitor who, on behalf of certain candidates who were defeated at the recent election of Guardians, applied to the Board to direct an inquiry, and alleged that the election was conducted in a loose and illegal fashion, resulting in a number of voting papers being purloined and at least 85 being forged. The Board have pointed out, in reply, that they are only empowered to decide questions as to the validity of elections of Guardians, where the right of any person to act as a Guardian is formally submitted to them for their determination under the provisions of the Poor Law Amendment Act, 1842. The Board have stated what information they require for the purpose of such an appeal. If an appeal is received by the Board, and it should appear that there is ground for contention that votes have been lost to particular candidates, or allowed to other candidates, in consequence of irregularities in connection with the voting papers, and that the result of the election has been thereby affected, the Board, before arriving at a decision on the appeal, would, if there were any dispute as to the facts, direct a local inquiry by one of their Inspectors. As regards the suggestion in the question that an inquiry by the Board is necessary for the purpose of bringing the forgers of voting papers to



justice, I must point out that the forging of a voting paper is a criminal offence, and that no action on the part of the Board is necessary to enable any person to institute criminal proceedings against any individual who is alleged to have been guilty of the offence.

MR. PATRICK O'BRIEN: Is it not in the power of the Local Government Board to make an inquiry?

\*MR. RITCHIE: I have stated under what conditions the Board consider it their duty to investigate such a case. If the Board were to examine on oath charges against persons for forgery of papers it would be contrary to the usual practice, and persons might afterwards be prosecuted for forgery alleged to have been committed, and their case would be prejudiced by the examination by the Local Government Board.

MR. PATRICK O'BRIEN: The Clerk of the Union might be examined as to how the papers left his custody: they could not have been taken without his knowledge.

\*MR. RITCHIE: If representation is made to the Board that *prima facie* evidence exists as to the irregularity, then it will be for the Board to direct an inquiry, and then, no doubt, it will be desirable and necessary to examine the Clerk.

#### MOUNTJOY CONVICT PRISON.

MR. PATRICK O'BRIEN: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether it is usual for Prison Governors in Ireland to visit all prisoners under their control at regular intervals to hear their complaints, if any, with the view of having such complaints, if any, remedied as far as possible consistent with the health, safe custody, and discipline of the prisoners; whether it is usual to make changes in the employment of prisoners from time to time at their own request, and as a reward for good conduct; whether there are any, and, if so, how many prisoners permanently employed, weather permitting, at outside work in Mountjoy Convict Prison; whether any of those prisoners have been so employed from two to five years; for what special reason has the

Governor of Mountjoy refused to allow Thomas O'Leary, whose conduct has been good, a change of employment from the shoemaking shop to outdoor work; and will he see that O'Leary's request is granted?

MR. JACKSON: The reply I have received from the General Prisons Board in regard to paragraphs 1 and 2 of the question is in the affirmative. Of the prisoners at the present time employed in Mountjoy Prison at outdoor work, 14 have been so employed continuously for two years or upwards, but no promise of permanent employment at any particular form of labour is given to any convict. As regards the case of the particular convict mentioned, I notice that the hon. Member has changed the wording of the question. When I answered formerly the question was as to permanent change of employment. That request was refused, but it would not be correct to say that he had been refused change of employment.

#### HAMPSTEAD HEATH RAILWAY STATION.

MR. BRODIE HOARE (Hampstead); I beg to ask the President of the Board of Trade whether he is taking any steps to prevent the recurrence of such an accident as recently happened at Hampstead Heath Station at that station and others at which there is a large holiday traffic?

\*SIR M. HICKS BEACH: I have not yet received the Inspector's Report on the Hampstead Heath accident, but I have been in communication with the Railway Company, and am informed that, although the plan has not been actually decided upon, such structural alterations will be made and increased means of access to the platforms provided before Whitsuntide, as will, it is hoped, together with other means taken by the Company, remove all risk of further misfortune. As regards other stations, I must refer the hon. Member to the answer which I gave on the 28th ult. to the hon. Member for the Rushcliffe Division of Nottingham (Mr. John Ellis).

#### APPOINTMENT OF NURSE AT DONEGAL WORKHOUSE.

MR. MAC NEILL (Donegal, S.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he is aware that the Board of Guardians of Donegal Union recently gave notice, by advertisement in the papers, of their intention to appoint a properly qualified person to the post of infirmary nurse in the workhouse at a salary of £20 per annum with rations and apartments; whether it is the fact that, notwithstanding this advertisement, the said Board appointed a person with no qualifications of training, nor testimonials of any kind, who did not even appear before them, rejecting the only other candidate who had a certificate of training from the Royal College of Surgeons, Belfast, and testimonials of character and efficiency as a nurse from clergy and laymen of all denominations; whether the attention of the Local Government Board has been called to the matter; and whether any step will be taken to remedy this action of the Board?

\*MR. JACKSON: The Local Government Board have already declined to approve of the appointment referred to, on the ground that the person elected had not the requisite experience. The Guardians have arranged for a new election to take place on the 14th inst.

#### KILLYBEGS PETTY SESSIONS.

MR. MAC NEILL: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he is aware that in the Killybegs Petty Sessions district, which is one of the most extensive in the County Donegal, stretching westward 23 miles and eastward 10 miles, there are at present only two magistrates, whereas a few years ago there were six magistrates; whether he is aware that much inconvenience is caused by the Bench being thus undermanned to the magistrates themselves and the inhabitants generally, more especially when either of the magistrates is absent from the Bench from illness or any other cause; whether he is aware that, although five-sixths of the population of this Petty Sessions district is Catholic, both the magistrates are Protestants, and that frequently no

Petty Sessions can be held owing to their absence from the Bench; whether he is aware that some months ago an influentially signed memorial, approved of by both the magistrates who at present form the Petty Sessions Bench, the gentry of the locality and the Catholic and Protestant clergymen being among the signatories, was presented to the Duke of Abercorn, recommending the appointment of a gentleman residing at Killybegs to the magistracy, a request, however, which was refused by the Duke; and whether the Government will take any step to remedy this public inconvenience?

MR. JACKSON: I am informed that there are three local magistrates belonging to the Killybegs district, two of whom give a good attendance at Petty Sessions and that they are also attended constantly by the Resident Magistrate. No complaints have been made to the Lord Chancellor as to the want of an additional magistrate in the district, while, as a matter of fact, there appears to have been only one occasion during the last eighteen months on which no Petty Sessions was held for want of the attendance of any magistrate. I have no information as to the memorial referred to in the question, or as to the grounds on which it was refused; but I am informed that the Lord Lieutenant of the county is always ready to consider the names of any properly qualified gentlemen that may be brought before him.

MR. MAC NEILL: The right hon. Gentleman has not answered the third paragraph of the question. Is that true?

MR. JACKSON: I do not know that it is the fact.

#### DONEGAL POLLING STATIONS.

MR. MAC NEILL: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he is aware that there is no polling station for the districts of Glencolumbkille and Carrick, in the County Donegal, nearer than Killybegs, which is nine miles from Carrick, and 20 miles from Glencolumbkille; whether he is aware that there are upwards of 500 voters living further away from Killybegs than Carrick; and whether, having regard to the great hardship and inconvenience

entailed on voters by being compelled to undertake so long a journey to record their votes without any public conveyance whatever, arrangements will be made for having polling stations in Carrick?

MR. JACKSON: The polling stations for the County Donegal were fixed in 1885 in pursuance of the Parliamentary Registration (Ireland) Act of that year. There is no power to consider the alteration of the existing districts, except on a resolution being passed by the Chairman of Quarter Sessions and Justices of the Peace having jurisdiction in the county, that such a course is necessary.

MR. MAC NEILL: Will the right hon. Gentleman communicate with the Chairman of Quarter Sessions? Is he aware that since County Councils have been established in England polling booths have been placed within three miles of every voter?

MR. JACKSON: I am sure if the hon. Member will communicate with the Chairman of Quarter Sessions, and point out to him the inconvenience likely to arise from the present arrangement the representation will receive attention.

MR. MAC NEILL: The Chairman is Dr. Webb, the well-known Tory pamphleteer.

#### IRISH LAND COMMISSION APPOINTMENTS.

MR. MAC NEILL: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether it is the fact that no fewer than twelve temporary uncertificated clerks in the offices of the Irish Land Commission have been made permanent clerks without any examination; why were not the vacancies in the offices of the Irish Land Commission filled from the Lower Division of the Civil Service, and why were not those clerkships thrown open to public competition according to the practice adopted in filling up vacancies in clerkships in the High Court of Justice in Ireland; is there any precedent for this departure from the Civil Service Regulations, and what are the grounds for this breach of the usual practice in the filling up of such appointments; and will he have any objection to lay upon the Table of the

House a copy of the correspondence that has taken place on this subject between the Civil Service Commissioners and the Irish Land Commission?

MR. JACKSON: Certain clerks in the Department of the Land Commission where, on the recent re-organisation of the Department, permanently appointed, they not holding certificates from the Civil Service Commissioners. I have dealt with the inquiries made in reference to this subject in my reply of 4th April. It would be contrary to practice to lay on the Table copies of correspondence between Departments on the subject of Departmental organisations.

MR. MAC NEILL: Is the right hon. Gentleman aware that these twelve temporary clerks are near relatives, either of the Land Commissioners, or of the Judges, or of other Irish officials?

MR. JACKSON: No, Sir, I have no knowledge of the relationship existing between the clerks and the Land Commissioners. I think it would be a very extraordinary proceeding to discharge men who had been doing the work, and who had become efficient in the discharge of it, and to bring in men from outside who had no experience of the duties.

MR. MAC NEILL: I shall bring up this matter again on the Estimates.

#### DISEASED MEAT IN IRELAND.

MR. WOLFF (Belfast, E.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether his attention has been drawn to a letter in the *Northern Whig* of 30th April, from F. Adair, Secretary to the Belfast Master Butchers' Protection Association, stating that the meat of cattle slaughtered for pleuro-pneumonia was regularly sold for consumption in Belfast; whether he will inquire into the truth of this statement; and whether, if found correct, he will take the necessary steps to put a stop to this practice?

\*MR. JACKSON: My attention has been called to the letter, which appears to have been written under a misapprehension, or to have referred to some other circumstances. I am informed that neither in the case of Belfast nor any other part of Ireland have animals been slaughtered and sold for food unless

they were fit for consumption and so certified by the veterinary surgeons.

#### THE LAND COMMISSIONERS IN CAVAN.

MR. KNOX (Cavan W.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether the Sub-Commissioners who sat to hear land cases in Cavan last summer adjourned, leaving some 20 cases which had been listed unheard, saying that they would return in three weeks, but have not yet sat there since; whether he is aware that some cases in the district, which were entered four years ago, have not yet been heard; and whether the proper steps will be taken to have these cases disposed of?

\*MR. JACKSON: From the Report I have received from the Irish Land Commissioners it appears that the cases referred to have been already listed for hearing before a Sub-Commission which will commence its sitting at Cavan on the 16th inst. The Chairman of the Sub-Commission which sat in Cavan last year reports that he made no such statement as that attributed to him in the Question.

#### LOUGH ERNE DRAINAGE.

MR. KNOX: I gave notice to ask the Secretary to the Treasury in how many cases the Commissioners of Public Works in Ireland have, up to the present date, raised the rents of tenants whose lands are alleged to have been improved by the Lough Erne Drainage; what is the total amount of increase; what is the acreage of the land alleged to have been improved, and on which the rents have been increased; and how many of such tenants held under judicial tenancies? I now wish to postpone this question until Monday next. At the same time I would say that it has already been several times on the Paper, and that the Board of Works in Ireland have had time to furnish a reply to it.

#### ARMY MEDICAL OFFICERS.

DR. TANNER (Cork Co., Mid): I beg to ask the Financial Secretary, War Department, whether any steps will be taken to remove the disability under which officers in the Army Medical

Department suffer as regards precedence at mess; and whether such disability was always in existence, and when instituted?

\*MR. BRODRICK: The officers of the Army Medical Department suffer from no disability.

DR. TANNER: Has the long correspondence which has taken place on the subject in some medical journals been brought to the attention of the hon. Gentleman, and is he prepared to say that this grievance does not exist?

\*MR. BRODRICK: I have not seen the correspondence referred to by the hon. Member.

#### ALLEGED ILLEGAL FISHING IN THE BANDON RIVER.

DR. TANNER: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he is aware that Jeremiah Murphy, who was fined £5 and costs at the last Innishannon Petty Sessions, for alleged illegal fishing in Bandon River, near Harleys Bridge, was convicted and fined by a majority of one by the Magistrates at Innishannon Petty Sessions, Mr. Cronin, R.M., dissenting, and that it was proved that Murphy was looking after cattle at the time he was supposed to be fishing; and whether, under the circumstances of the case, the fine will be remitted?

\*MR. JACKSON: I am informed that Murphy was fined as stated in the question; but it does not appear to be the case that the Resident Magistrate dissented from the judgment of the Court. If the defendant is of opinion that there are circumstances in his case which would warrant a reduction or remission of the fine, it is open to him to memorialise the Lord Lieutenant.

#### GOLD MINING ROYALTIES.

MR. McDONALD CAMERON (Wick, &c.): I beg to ask the Chancellor of the Exchequer what number of tons of gold ore have been raised and treated in the Dolgelly district from the time the junior Member for Merthyr commenced operations up to the present time; what number of ounces of gold have been produced, and what is the total value of such gold, and the

*Mr. Jackson*



average value of gold produced per ton of ore; having regard to the fact that the cost of mining, tramming, and treating such ore, and extracting the gold therefrom, irrespective of wear and tear, depreciation of machinery, management, administration, and interest on capital, is stated by Dr. Le Neve Foster, in his Report to the Home Secretary for 1891, to be 8s. 5½d. per ton in the case of the Morgan Mine, and also having regard to the fact that large quantities of low grade ore exist in Wales and Ireland, and that the Government are not prepared to work the Royal mines on State account, will they grant to all persons desirous of working such Royal mines the same concessions, pending the Report of the Royal Commission, as those lately granted to the Morgan Gold Mine; whether he is prepared to reduce the royalties on gold obtained from private lands in Wales and Ireland to one per cent. on the product, and in the case of Crown lands to two per cent. on the product pending such Report; and whether, having regard to the fact that persons obtaining gold and silver in private lands in combination with copper, tin, iron, and lead are protected by the Acts of William and Mary, the Government are prepared to grant the same protection to owners of mines in private lands where gold is obtained in combination with zinc blende and other base metals?

\*MR. GOSCHEN: The number of tons of gold ore which have been raised and treated in the Dolgelly district from the time the junior Member for Merthyr commenced operations up to the 16th October is 26,819 tons, the number of ounces of gold produced is 17,280, the total value of such gold is £58,643, and the average value per ton of ore is £2. 3s. 9d. Concessions similar to those lately granted to the Morgan Gold Mine are being granted in other cases where the circumstances are similar. Having regard to the fact that the right of pre-emption in regard to copper, tin, lead, and iron ore has never, so far as is known, been exercised and that no zinc blende mine has been claimed as a Royal mine, it appears to be unnecessary to consider the suggestion that the Acts of William and Mary should be extended to blende ore.

MR. PRITCHARD MORGAN (Merthyr Tydvil): Does the right hon. Gentleman intend to apply the principle of reduction in all cases, or does he intend to preclude me from them?

\*MR. GOSCHEN: That is a point which does not arise out of this question.

MR. JOHN O'CONNOR (Tipperary, S.): I beg to ask the Chancellor of the Exchequer whether it is a fact, as stated in the *Mining Journal* of the 16th inst., that the junior Member for Merthyr has requested that royalties on all gold and silver obtained from private lands in Wales and Ireland should be reduced to one per cent., as in the case of the Morgan Gold Mine, pending the Report of the Royal Commission on Mining Royalties; whether the Chancellor of the Exchequer has refused to reduce the royalties on any other lands than those occupied by the Morgan Gold Mine; whether, in consequence of the Chancellor's communication to the junior Member for Merthyr, that,

"So long as costs which are due from you remain unpaid, he is unable to enter upon the consideration with you of the question of the royalties to be paid to the Crown,"

the junior Member for Merthyr has requested the Chancellor of the Exchequer to proceed at once to recover the costs by the sale of his property, rather than the matter shall be indefinitely delayed; and, whether he will proceed to the sale, with a view afterwards to the reduction of the royalties throughout Wales and Ireland; and, if not, whether he will reduce such royalties pending the decision of the Royal Commission on Mining Royalties?

\*MR. GOSCHEN: My answer to the first paragraph of the hon. Member's question is in the affirmative. As regards the second paragraph, there are other lands besides those occupied by the Morgan Gold Mine upon which I have consented to reduce the royalties. With regard to the third paragraph, I have declined to deal with the hon. Member for Merthyr so long as he persists in his refusal to pay the State what is legally due from him. The hon. Member has requested me to proceed to recover the costs

by levying an execution on his goods; but I understood that the feeling of the House was against gratifying the hon. Member in his desire for this sordid form of martyrdom. The position taken up by the hon. Member only prevents the Woods and Forests from dealing with him personally and with his personal affairs. It does not arrest the dealings of the Woods and Forests with other parties, and in these there is no delay. There is no reason, therefore, from that point of view, for selling up the hon. Member.

MR. PRITCHARD MORGAN: I beg to ask the Chancellor of the Exchequer whether he is aware that gold has been found in a property, known as the Champion Mine (Moel Isprey), near Dolgelly, in combination with zinc, and whether the persons who have discovered it are entitled to the same protection as they would if the gold had been in combination with copper or lead; and, if not, whether the Government are prepared to grant the same privileges to those working for gold and zinc in combination as has already been granted by the Acts of William and Mary to those who are obtaining gold in combination with copper or lead; and whether, having regard to the promising indications of gold which exist in several localities in Wales and Ireland, the Government will consider the advisability of having an informal survey made by practical geologists and experts in mining?

\*MR. GOSCHEN: So far as can be ascertained there has been no working for blende at Moel Isprey for some months past. Some blende was obtained in 1890, but although it was believed to contain a little silver, it was treated and disposed of as blende ore and no claim was made by the Crown in respect of it. The Acts of William and Mary were not passed for the protection of those working for gold in combination with copper or lead, but for the protection of the owners of copper and lead mines when gold or silver was found to exist in the copper or lead ore obtained from their properties. Neither the owners of Moel Isprey nor the owners of any other property producing blende ore have

expressed any anxiety that the Acts of William and Mary should be extended to blende ore, and there is no reason to suppose that any practical result would follow such an extension. Many practical geologists and mining experts, commencing with Sir Roderick Murchison, have at various times expressed their views on the indications of gold in Wales and Ireland, and there seems no justification for incurring the expense of a further informal survey.

MR. PRITCHARD MORGAN: Will the right hon. Gentleman say whether within the last 20 years the improvement of machinery has not been such that ore which at the time Sir R. Murchison expressed his opinion did not pay, would now be payable, especially with regard to the fact that the ore in the Morgan Mine was mined and treated for less than 8s. 6d. per ton?

\*MR. GOSCHEN: I see no reason for a Government survey. Certain explorations are proceeding and certain results will follow; but there is no reason for the Government to take the matter in hand.

MR. PRITCHARD MORGAN: Am I to understand that I am the only victim, and that royalties are not to be reduced in my case simply because I will not pay costs in the way he desires?

\*MR. GOSCHEN: My position is this—a business-like position to be taken up by any one in a position of trust—not to deal with the hon. Member, or—not to speak of the hon. Member personally—not to deal with parties who, after a Court of Law has awarded a debt against them, refuse to pay. It is impossible to deal with parties who say they will only pay their debts if they are sold up.

MR. PRITCHARD MORGAN: Is it a fact that the law has not been revised for 300 years, and that the Judges are not agreed as to the construction of the Acts of William and Mary?

\*MR. GOSCHEN: Any hon. Member who has read the remarks of the Judges will see that I am perfectly justified in the action I have taken.

*Mr. Goschen*

## POLYNESIAN LABOUR IN QUEENSLAND.

MR. SAMUEL SMITH (Flintshire): I beg to ask the Under Secretary of State for the Colonies whether he is aware that the Government of Queensland is about to re-open the traffic in Polynesian labour, which was prohibited two years ago in consequence of the horrible atrocities that disgraced it; whether he is aware that a Royal Commission investigated the whole matter in 1885, and reported that it was a traffic accompanied with every circumstance of deception and cruelty; that they reported that, in the case of the labour vessel *Hopeful*—

“The history of the cruise is one long record of deceit, cruel treachery, deliberate kidnapping, and cold-blooded murders. The number of human beings whose lives were sacrificed during the recruiting can never be accurately known”;

whether a Petition was signed in Queensland by 28,000 persons to get the murderers and kidnappers in the *Hopeful* pardoned on the ground that these atrocities had been common, and it was hard to make these men the first victims; whether these men are now out of prison, and whether he is aware that it was proposed to give them a public banquet in the colony; whether he is aware that the Royal Commission stated that the average mortality of these Pacific islanders on the sugar plantations of Queensland was 17·2 per cent. in one year, and that the wages paid are from 4d. per day, whereas white labourers earn from 5s. to 8s. per day; whether he is aware that several islands of the New Hebrides have been almost depopulated by this inhuman trade; and whether the Government will take steps to prevent what is virtually the revival of the slave trade under our flag?

BARON H. DE WORMS: Her Majesty's Government understand that the Queensland Legislature have passed a Bill for allowing the re-introduction of South Sea island labour to the colony; but no copy of the measure has yet been received. It is understood, however, that the Queensland Government are fully sensible of the necessity for stringent regulations for the protection of the labourers. The Commission to which the hon. Member

refers did not investigate the whole subject of the traffic, but it embraced an inquiry into three voyages, including that of the *Hopeful*, in which labour was recruited from the Louisiade Group and other islands adjacent to New Guinea. The Queensland Government, after the Report of the Commission, took measures for returning to their homes the whole of the surviving labourers recruited on these voyages. The hon. Member will find Papers on these subjects in the Blue Books [C. 4,584 and C. 5,883]. The hon. Member will see that there were special features in connection with these voyages, upon which a general condemnation of Polynesian labour could not fairly be based.

We believe that such a petition as that mentioned in the third paragraph of the question was made, but not on the grounds stated by the hon. Member. It was alleged that the evidence on which the prisoners were convicted was unsatisfactory and insufficient to establish their guilt. The men were released, but I am not aware that there was any intention to give them a public banquet. As regards paragraph four, I do not find any statement to this effect in the Report of the Commission; but there appears to have been an exceptional mortality among the labourers recruited by the particular ships I have referred to. The money wage may be as stated in the question, but it must be borne in mind that the expense of the Polynesian labourer includes food, clothing, and lodging, and the cost of the return voyage as well as of the voyage to the colony. It is believed that the population of the islands of the Pacific generally is diminishing; but there are other causes at work, and in the absence of authentic records it is not possible to say to what extent particular islands may have suffered a loss of population from recruiting. Her Majesty's Government will support the Queensland authorities in any measures they may take to surround the engagement and employment of these men with proper safeguards; and if due precautions are taken, it should be possible to regulate the traffic without the evils which the hon. Member anticipates.

MR. SAMUEL SMITH: In consequence of this very unsatisfactory reply, and in consequence of the Government

sanction of what is practically a renewal of the slave trade, I give notice that I will call attention to this matter again.

MR. HOWARD (Middlesex, Tottenham): I beg to ask the Under Secretary of State for the Colonies whether he can state what the reasons are which have induced Sir Samuel Griffiths to remove the prohibition against the introduction of Polynesian labour into the colony of Queensland; and whether, having regard to the kidnapping and crime inseparable from this traffic, and brought to light by a Royal Commission, he will take steps to induce the Premier to reconsider his determination?

BARON H. DE WORMS: The reasons assigned by Sir Samuel Griffiths are that there are not at present in Queensland a sufficient number of Europeans able and willing to do the necessary work, and that, in consequence, the sugar industry is suffering, and the productiveness of the lands of the colony will be diminished. I have answered the remainder of the question in my reply to the hon. Member for Flintshire (Mr. S. Smith).

#### LABOURERS' COTTAGES IN IRELAND.

DR. TANNER: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland what steps have been taken to provide labourers' cottages in the Inchigeela and Ballingearry districts of the Macroom Union; whether he is aware that at least 20 labourers cottages are wanted in these districts; and how many cottages have been built in these places?

\*MR. JACKSON: I am informed that 291 labourers' cottages have already been built in the Macroom Union. The Guardians appear to contemplate the provision of eighteen cottages for the two Electoral Divisions named. Of these, two have been erected, while, as regards the remaining sixteen, the Local Government Board understand the necessary arbitration proceedings, prior to entering into possession of the lands, have been taken by the Guardians.

DR. TANNER: Have not several requests been made by the people of the district, who are very poor, that facilities should be given to the

Guardians to acquire land upon which to build cottages?

\*MR. JACKSON: I am not aware that there has been any difficulty on the part of the Guardians in this matter.

#### PRESENTATIONS TO SONS OF NAVAL OFFICERS.

CAPTAIN PRICE: I beg to ask the hon. Member for Exeter, as a Charity Commissioner, whether he will lay upon the Table of the House the correspondence between the Charity Commissioners and the Governors of Christ's Hospital, with reference to presentations to sons of naval officers?

THE UNDER SECRETARY OF STATE FOR FOREIGN AFFAIRS (Mr. J. W. LOWTHER, Cumberland, Penrith): My hon. Friend the Member for Exeter has asked me to state on his behalf that he has no correspondence upon the subject to lay on the Table.

#### THE NATIONAL GALLERY.

DR. FARQUHARSON (Aberdeenshire, W.): I beg to ask the First Commissioner of Works whether his attention has been called to the following extract from the Report of the Director of the National Gallery for the year 1891:—

"Meanwhile the collection has been and is being increased by the acquisition, through bequest as well as by purchase, of numerous pictures, for which absolutely no space exists on the walls nor could be provided even at the fatal cost of breaking up the present classification; the adapting of hanging screens as an alternative has had the unfortunate effect of crowding the galleries and impeding the circulation of visitors: it will be impossible to employ this expedient further without causing serious inconvenience";

and whether he can now inform the House what answer Government proposes to give to the memorial of the Trustees, complaining of the increasing inadequacy of space for hanging pictures in the Gallery, and the danger from fire to which the collection is exposed from its close contiguity with St. George's Barracks?

\*THE FIRST COMMISSIONER OF WORKS (Mr. PLUNKET, Dublin University): Replying also to a similar question on this subject by Mr. Kenrick, said: The memorial of the Trustees of the National Gallery has received, and will continue to receive, the careful attention of Her Majesty's



Government; and while we cannot agree that the want of space is at this moment as absolutely urgent as the Trustees insist that it is, we fully admit that the time will soon come when some addition must be made to the existing buildings. That subject will have to be considered—and I may say is now being considered—in connection with the future arrangements as to St. George's Barracks. Under these circumstances, I cannot add much to the answer I gave the hon. Member last year, except to say that the additional precautions against fire which I then promised have since been carried out.

DR. FARQUHARSON: Does the right hon. Gentleman really believe that anything short of the total demolition of these barracks will remove the risk of fire from the National Gallery? I should also like to know whether the Gallery is only separated by a not particularly thick wall from that portion of the barracks which contains the canteen, the sergeants' mess, and the married couples' quarters?

\*MR. PLUNKET: I did not know that the married couples' quarters are particularly inflammable; but, as I have already informed the hon. Member, we have taken every possible precaution to protect the adjacent part of the National Gallery. I may also say that the future of the barracks is under consideration at the War Office.

#### POLITICAL ECONOMY IN IRISH SCHOOL BOOKS.

MR. SEXTON (Belfast, W.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he has noticed a resolution of the Belfast United Trades' Council, adopted at a special meeting on the 2nd ultimo, declaring certain passages in the *Lessons on Political Economy* in the Fifth Book of the Irish Commissioners of National Education to be contrary to the fact and prejudicial to working men who are Trade Unionists; whether he has observed by the selection of extracts from the Fifth Book circulated by a Special Committee of the Belfast Trades' Council that the lessons in question contain a number of absurd or inaccurate propositions and state-

ments, as, for instance, that if a law were made to fix the rent of land, the only effect would be that the landlord would no longer let his land, and whether this passage was brought years ago to the notice of the House of Commons; whether, at the instance of the London Trades' Council, passages of an analogous character were many years since struck out of the school books in use in England; and whether the Irish school books will now be revised, with a view to expunging propositions and statements which are manifestly absurd or grossly incorrect?

MR. JACKSON: The Commissioners of National Education report that the Fifth Book is at present under revision, and that the *Lessons on Political Economy* will be revised.

MR. SEXTON: If this revision is not properly carried out, I shall ask for the appointment of a Select Committee to consider the matter.

#### THE PAY OF SCHOOL SUPERINTENDENTS.

MR. SEXTON: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland, whether, in view of the fact that the establishment of a preparatory grade in the scheme of the intermediate examinations for the present year will considerably add to the already onerous duties of the superintendents at these examinations, it is the intention of the Intermediate Board to increase the remuneration paid to superintendents to £20, the amount given them for the first four years of the Board's existence?

MR. JACKSON: I am informed that it is not proposed to make any alteration in the scale of remuneration.

MR. SEXTON: Is it a fact that superintendents take only £15, out of which they are expected to pay their hotel bills and travelling expenses? I should also like to know whether, if the Board have plenty of money, they will not return to the earlier amount?

MR. JACKSON: I should not prescribe to the Board how they should pay the superintendents. They must know better than anyone else what should be paid to those officials.

## PUBLIC MEETINGS IN SCHOOLROOMS.

MR. H. GARDNER (Essex, Saffron Walden): I beg to ask the Vice President of the Committee of Council on Education whether, in view of the difficulty that still exists in some places of obtaining the use of schoolrooms for public meetings, he will cause a copy of the unanimous Resolution of the House in favour of the right of public meeting in elementary schools to be circulated amongst school managers?

\*THE VICE PRESIDENT OF THE COUNCIL (Sir W. HART DYKE, Kent, Dartford): The object of the Resolution was not, as I understood it, to confer a general right of public meeting in any school-house, unfettered by any securities against misuse and irrespective of there being any other suitable buildings available, and I cannot, therefore, assent to the issue of the suggested Circular; but, judging from the number of letters I have received from persons who are alarmed at the possible effects of the Resolution, I do not think it stands in need of any further advertisement.

MR. H. GARDNER: Notwithstanding the Resolution of the House and the fact that the Government are about to bring in a Bill on the subject, does the right hon. Gentleman know there have been a number of cases of refusal for the use of schoolrooms in various parts of the Kingdom?

\*SIR W. HART DYKE: If that is the fact, it only shows that there is a necessity for the introduction of a Bill on the subject.

## ALLOWANCE IN LIEU OF OFFICERS' MESS.

MR. SEALE-HAYNE (Devon, Ashburton): I beg to ask the Financial Secretary, War Department, whether Militia regiments quartered in barracks where there is no officers' messroom or mess accommodation, are entitled to the allowance in lieu of officers' mess accommodation prescribed in the Army Allowance Regulations, 1891; and, if not, whether he will be good enough to state the reason?

MR. BRODRICK: The Army Allowance Regulations do not apply to the Militia when disembodied. Officers of

Militia receive an allowance of 4s. a day, under the Militia Regulations, to cover all mess expenses, including the hire of mess accommodation when it may happen that none is provided.

## SALARIES OF INDIAN OFFICIALS.

MR. SEYMOUR KEAY (Elgin and Nairn): I beg to ask the Under Secretary of State for India what is the amount of the yearly salary and allowances of the Financial Member of the Council of the Governor-General, of the Lieutenant-Governor of Bengal, and of the Governors of Madras and Bombay respectively; for what period of years do these officers hold their appointments, and under what Statute or Regulation; what are the amounts of the retiring allowances or pensions to which these officers are respectively entitled on vacating the said appointments; can more than one such allowance or pension be held by an officer who has held more than one of these or similar appointments in succession; and what is the shortest period of service in each of these appointments which qualifies an officer for such allowance or pension?

THE UNDER SECRETARY OF STATE FOR INDIA (Mr. CURZON, Lancashire, Southport): The Member of Council in charge of the Financial Department draws a salary of Rs.76,000, without allowances. The Lieutenant-Governor of Bengal receives Rs.100,000, with allowances of Rs.9,750. The Governors of Madras and Bombay receive Rs.120,000, with sumptuary and household establishment allowances of Rs.95,000 and Rs.93,000 respectively. All these officers are appointed for five years, but in very exceptional cases the term has been extended for one or two years. The Lieutenant-Governor is appointed by the Governor-General, subject to Her Majesty's approval under 21 & 22 Vic., c. 106, s. 29. The Governors of Madras and Bombay and Members of the Governor-General's Council are appointed by Her Majesty by Warrant under 21 & 22 Vic., c. 106, s. 29; 24 & 25 Vic., c. 67, s. 3; 32 & 33 Vic., c. 97, s. 8. There is no retiring allowance or pension attached to any of these offices. But if they are held by a member of the Indian Civil Service or an officer of the Army,

he receives the ordinary annuity or pension under the Rules.

#### RAILWAY RATES.

MR. ROYDEN (Liverpool, West Toxteth): I beg to ask the President of the Board of Trade whether a Railway Company can, without infringing the conditions of the Railway and Canal Traffic Act as to preferential rates, differentiate in the rates of carriage between different articles in the same class?

\*SIR M. HICKS BEACH: This is a question of law, upon which a general answer could not properly be given. It does not necessarily follow that because articles are in the same class they are "same or similar merchandise" within the meaning of Section 27 of the Act of 1888.

#### THE CASE OF DAVID FREEMAN.

MR. MILD MAY (Devon, Totnes): I beg to ask the First Lord of the Admiralty whether his attention has been called to the fact that David Freeman, of Kingston, South Devon, invalided from the *Raleigh* at the beginning of last year after seven years' service, in consequence of a complete breakdown of his health, was granted a pension of 6d. a day for twelve months, during which time he was constantly ill; whether, on his presenting himself, last February, at the Royal Naval Hospital, Stonehouse, for a renewal of his pension, he was told that such fellows as he ought to work, and was further informed that his small pension would be reduced; whether he is aware that Freeman died a fortnight ago, within two months of this deprivation of pension; and whether he will make inquiry into the circumstances of the case so as to prevent the possibility of the recurrence of such treatment?

\*LORD G. HAMILTON: The hon. Member seems to have been misinformed in regard to the circumstances. I have made particular inquiry into the case, and the facts are as follows: David Freeman, A.B., after having served in the Royal Navy for only five and a half years, showed last year symptoms of rapid consumption, and was accordingly invalided from the Service. His disease being in no way

attributable to extraordinary exposure or exertion on service, he was granted a temporary pension from naval funds of 6½d. a day for 15 months, the maximum allowed by the Regulations. On the expiration of this period, his health not having improved, Freeman was granted an allowance of 6d. a day from Greenwich Hospital Funds, and he was in receipt of this special pension at the time of his death. It is very improbable that the medical officer made any such remark as that alleged, as it was on this officer's certificate, stating that Freeman was in indifferent health and almost unable to contribute to his own support, that assistance was given to him from the charitable funds of Greenwich Hospital.

#### SHEERNESS DOCKYARD.

MR. BYRON REED (Bradford, E.): I beg to ask the First Lord of the Admiralty whether ships of war, fitted out at Sheerness Dockyard, are taken to Chatham for commission when ready for sea; whether this is in conformity with the practice of former years; whether complaints have reached him that this practice puts the town and trade of Sheerness at a great disadvantage; and whether he can arrange for a fair share of commissions to be given to Sheerness?

\*LORD G. HAMILTON: Under the complete scheme of mobilisation which has been recently introduced, the object of the changes made has been to collect and keep together in an efficient state the ships, men, and stores of the Reserve. In consequence, the ships fitted out at Sheerness, when passed out of the Dockyard hands, are placed in the Fleet Reserve at Chatham, where the depôts of men, stores, &c., are also placed, and where there are extensive basins and other appliances useful for the purpose of rapid commissioning. This arrangement has worked well and economically, and no departure from it would be now feasible, as it would permanently disturb the whole principle of rapid mobilisation. On the other hand, a new Gunnery School has been established at Sheerness, which will have the effect of increasing the number of men permanently maintained in the port, and, further, a large number of second

class stokers are now stationed at the Naval Barracks there for training.

#### ASSAULTS IN RAILWAY CARRIAGES.

MR. SUMMERS (Huddersfield): I beg to ask the President of the Board of Trade whether, in view of the cases of assault and alleged assault upon women in railway carriages, he will consider the advisability of taking such steps as may be necessary to secure that there shall be on all trains efficient communication with the guard or driver, and that such communication shall be made available from the interior of the carriages as is already the case on some English and many foreign railways?

\*SIR M. HICKS BEACH: As I have already stated, in reply to a question of the hon. Member for West Bromwich, efficient means of communication are now required by Statute to be provided in all passenger trains which travel more than twenty miles without stopping; and, as at present advised, I am not prepared to propose an extension of the law, though the matter will be carefully watched.

MR. SUMMERS: In the opinion of the right hon. Gentleman are the present arrangements efficient?

\*SIR M. HICKS BEACH: Yes, Sir; I think so.

#### PATENTS IN ENGLAND AND THE UNITED STATES.

MR. SUMMERS: I beg to ask the President of the Board of Trade whether he is able to give the House any information with regard to the number of patents secured by Englishmen in the United States during the last five years, and also with regard to the number of patents in the same period that have been originally secured by Englishmen in the United States and afterwards taken out in the United Kingdom?

\*SIR M. HICKS BEACH: I understand that the number of patents issued by the United States Patent Office to citizens of the United Kingdom during the five years 1887 to 1891, was 3,394, but I have no means of furnishing the information asked for in the second part of the hon. Member's question.

*Lord G. Hamilton*

#### ALLOTMENTS FOR LABOURERS.

DR. TANNER: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland how many labourers cottages have been built in the Millstreet Union; and whether, in the event of any schemes now being under consideration in this and other Unions in Ireland, the increased allotment of one acre can be given to the labourers?

\*MR. JACKSON: The number of cottages built in the Millstreet Union is 108. It will not be practicable for Boards of Guardians to grant the increased allotment of land until the enabling Bill becomes law.

DR. TANNER: Could the new Act be adopted by the Guardians in regard to the schemes now in preparation?

\*MR. JACKSON: If any steps were taken, or if the Privy Council had sanctioned the scheme, the new Act could be applied.

#### THE RE-AFFORESTATION OF IRELAND.

MR. HARRISON (Tipperary, Mid): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether a proposal to purchase additional land at Knockboy, County Galway, for the purpose of planting trees, which has been brought under his attention, has resulted in the acquisition by the Congested Districts Board of any further land for re-forestation; if so, what further area is at the disposal of the Board, and at what pace are the planting operations being carried out?

\*MR. JACKSON: The Committee of the Congested Districts Board has been appointed to examine into and report upon the forestry operations at Knockboy. The question of purchasing additional land will not be taken into consideration until the Report of the Committee has been received.

#### PIERS IN SUTHERLAND.

MR. ANGUS SUTHERLAND (Sutherland): I beg to ask the President of the Board of Trade when he expects to introduce a Bill under the General Pier and Harbour Act to confirm the Provisional Orders relative to the proposed harbours at Talmine, Skerry, and Portskerra, in the County of Sutherland?



\***SIR M. HICKS BEACH**: I hope to introduce next week a Bill to confirm the Provisional Orders relative to the three piers in Sutherland. Delay has been caused by the omission of the promoters to comply with statutory requirements.

#### GIBRALTAR SANITARY BOARD.

**MR. CAUSTON** (Southwark, W.): I beg to ask the Under Secretary of State for the Colonies whether he will state whether any, and, if so, what, concessions have been made to the deputation from the Gibraltar Ratepayers' Association?

**MR. SUMMERS**: I beg to ask the Under Secretary of State for the Colonies whether it is the intention of the Secretary of State to amend the Sanitary Order Amendment Order, Gibraltar, 1891, in the following manner:—

"That the civilian representatives on the Sanitary Board of Gibraltar shall be selected by the Governor from a panel presented by the Grand Jury, and that Clause 17 of the said Order, which gives extraordinary powers to the Governor in the case of special works, be repealed"?

**BARON H. DE WORMS**: I will answer both these questions at the same time. The Secretary of State has been anxious to meet as far as possible the wishes of the Gibraltar Ratepayers' Association; and if he can be assured that they will withdraw further opposition to the Order in Council, he will be prepared to make the concessions referred to by the hon. Member for Huddersfield. With regard to the first of those concessions, it is of course to be understood that the amendment will not vacate the seats of the present members of the Board of Sanitary Commissioners.

**MR. CAUSTON**: Is that the only concession the Secretary for the Colonies can make?

**BARON H. DE WORMS**: Yes.

#### CUSTOMS OFFICERS' MEMORIALS.

**MR. CRAIG** (Newcastle-upon-Tyne): I beg to ask the Chancellor of the Exchequer whether the Board of Customs, by their Order of 16th April, 1892, directed that certain examining officers—who, on the 9th March, 1892, asked the Board of Customs to

transmit to the Lords of the Treasury certain Memorials addressed to their Lordships—

"be informed that they cannot comply with their request, that the Memorials may be forwarded by the Board to the Treasury, and they cannot allow any appeal to the Treasury";

whether the officers, by forwarding their Memorials direct to their Lordships, accompanied by a copy of the Board's refusal, are correctly interpreting the views of the Treasury, as shown in Treasury Minute, dated 26th February, 1866; and, whether the Memorials will be returned to the officers by the Board of Customs for transmission to the Treasury by the memorialists?

\***MR. GOSCHEN**: The facts stated in the first paragraph are correct. The Board of Customs refused to forward the Memorials in question to the Treasury, since they regarded them as appealing against a decision which had been arrived at after the most exhaustive investigation by a Departmental Committee of Inquiry. It is open to the officials in question to forward their Memorials direct to the Treasury; but, as the Minute of 1866 states, it will rest with my Lords to consider whether the communication was one which should be addressed to them. The Board of Customs will have no objection to copies of the Memorial being given to the memorialists.

#### EDINBURGH AND LEITH ARTILLERY DEPOTS.

**DR. CLARK** (Caithness): I beg to ask the Financial Secretary, War Department, whether it is the case that the barrack accommodation in Edinburgh and Leith is very unsatisfactory, and that, in consequence, the Royal Artillery Depôt at Leith is to be moved to Montrose; and whether it is the intention of the Government to spend any of the money under the Barrack Act in increasing the Barracks at Edinburgh and Leith; and, if not, why they are not doing so?

\***MR. BRODRICK**: The Royal Artillery Depôt at Leith is to be moved to Montrose in order to be in closer touch with the Militia, and not on account of the condition of the Barracks at Leith. The Barracks at Edinburgh

are of an old type, but by intended re-appropriation after the removal of the Ordnance stores to another station, better accommodation will be obtained. Money obtained under the Barrack Act will not be expended on the Leith or Edinburgh Barracks, as it is more urgently required at other stations.

DR. CLARK: Is it intended to rebuild some part of the Barracks?

MR. BUCHANAN (Edinburgh, W.): Are the Barracks at present insufficient in their accommodation?

\*MR. BRODRICK: There will be more accommodation when the Ordnance stores are removed.

#### NAVAL RETURNS.

MR. PICTON (Leicester): I beg to ask the First Lord of the Admiralty whether he has re-considered the difficulty experienced by Members of this House, and Her Majesty's subjects generally, in obtaining information as to the history and commissions of high class ships of Her Majesty's Navy; whether he can now give any hope that a Return will be furnished, giving a complete list of ships fit for active service, the dates at which they were ordered, reported ready, commissioned, paid out, and re-commissioned, together with the stations and services on which they have been employed; and whether, if such a Return is moved for, he will give it a favourable consideration?

\*LORD G. HAMILTON: I have had a Return prepared which the hon. Gentleman can have upon moving for it, though I do not think it adds much to information already available.

#### THE ALLOTMENTS RENT.

MR. SEYMOUR KEAY: I beg to ask the President of the Board of Agriculture whether the Government can grant a Return from the registers under Section 15 of The Allotment Act, 1887, showing the rent per acre of the allotments which have been let since the Allotments Act came into operation, or whether he can say what is the average rent paid per acre on the whole of these allotments?

\*MR. RITCHIE (who replied) said: Neither the Local Government Board nor the Board of Agriculture has any information as to the rent

*Mr. Brodrick*

per acre charged in respect of the several allotments which have been acquired under the Allotments Act, 1887. I am not, therefore, able to state what is the average rent paid for those allotments. I do not see that there would be any advantage in obtaining the Return suggested. If the hon. Member desires information as to any particular allotment, I shall be happy to endeavour to obtain it for him.

#### CHARGES AGAINST SCHOOLMASTERS.

MR. ADDISON (Ashton-under-Lyne): I beg to ask the Vice President of the Committee of Council on Education whether he can give the result of the special inquiries he undertook to make as to the discharge of their duties by Mr. A. Park, Head Master of the Albion Schools, Ashton-under-Lyne, Mr. E. Barlow, Head Master of the Parochial Schools, Ashton-under-Lyne, and Mr. Alderman Rudyard, principal teacher of the National Schools, Stalybridge; whether he can give any information as to the condition and efficiency of these schools, and as to the manner in which these gentlemen discharge their duties; and whether the conditions of the New Code have been, in all respects, satisfied?

\*SIR W. HART DYKE: I have received a special Report from the Inspector, in which he speaks in the highest terms of the efficiency of the schools in question, and on the ability and attention to duty displayed by the gentlemen whose conduct was impugned by the hon. Member for Northampton. The conditions of the New Code have in every respect been satisfied.

#### LORD WANTAGE'S COMMITTEE'S REPORT.

SIR W. BARTTELOT (Sussex, North-West): I beg to ask the First Lord of the Treasury when he will be able to fix a day for the discussion of Lord Wantage's Committee's Report on the terms and conditions of Service in the Army?

THE FIRST LORD OF THE TREASURY (Mr. A. J. BALFOUR, Manchester, E.): Had my hon. Friend put this question yesterday, I should have said definitely that this discussion would take place without fail before Whitsuntide, and even now I should be pre-

pared to find a day for the discussion ; but I regret to say that my right hon. Friend the Secretary of State for War (Mr. E. Stanhope) is indisposed, and cannot I fear, for some weeks, be in his place in the House. I still hope, however, that he will be able to be here some day before Whitsuntide, and in that case I should fix the discussion in accordance with the original understanding. If, unfortunately, he cannot be here before Whitsuntide, I will choose the earliest possible day afterwards.

#### PRISON CLOTHES.

MR. H. H. FOWLER (Wolverhampton, E.) : I beg to ask the Secretary of State for the Home Department whether the female members of the Salvation Army who were imprisoned under the provisions of the Eastbourne Improvement Act, 1885, were required to wear prison clothes during their imprisonment?

THE SECRETARY OF STATE FOR THE HOME DEPARTMENT (Mr. MATTHEWS, Birmingham, E.) : In accordance with the 23rd Rule, 1st Schedule of the Prison Act of 1865, these prisoners were required to wear prison clothes.

MR. CHANNING (Northampton, E.) : Arising out of the question, I should like to ask the right hon. Gentleman whether he is now prepared either to introduce, or to assent to, legislation placing first-class misdemeanants in this category.

MR. MATTHEWS : No. Nothing has occurred to alter the answer I have previously made to the hon. Member.

#### MR. PRITCHARD MORGAN AND THE CHANCELLOR OF THE EXCHEQUER.

MR. PRITCHARD MORGAN : I beg to ask leave to move the Adjournment of the House for the purpose of calling attention to a question of urgent and public importance—namely, the restriction of trade and industry in respect to the unjustifiable refusal of the Chancellor of the Exchequer to deal on equal terms, in regard to Crown Royalties, with persons engaged in the mining industry in this country.

\*MR. SPEAKER : The hon. Member is not in order. He has this evening

got a notice down traversing the Second Reading of a Bill on the Orders of the Day to the effect

"That, in the opinion of this House, no legislation will be satisfactory that does not deal fully with the administration of the Mines Royal of the United Kingdom of Great Britain and Ireland."

MR. PRITCHARD MORGAN : With the permission of the House I will withdraw the Motion.

\*MR. SPEAKER : Order, order ! The hon. Gentleman cannot do it.

MR. PRITCHARD MORGAN : Well, then, Mr. Speaker—

\*MR. SPEAKER : The hon. Gentleman is not in order.

MR. PRITCHARD MORGAN : As a personal matter, I submit that the language used by the right hon. Gentleman towards me was not such as was right in coming from a right hon. Gentleman occupying the position of one of the administrators of the affairs of this country ; and upon that ground, with your permission, I will move the Adjournment of the House for a personal explanation.

\*MR. SPEAKER : The hon. Gentleman is not in order. He complains of an expression used by the Chancellor of the Exchequer, and there is no doubt that the Chancellor of the Exchequer will render an explanation of the expression which has given the hon. Gentleman offence.

\*MR. GOSCHEN : I understand that while I left the House for a moment the hon. Member for Merthyr Tydvil complained of some of the language used by me. I should be sorry to wound the feelings of any hon. Gentleman. I spoke of martyrdom, and I presume he does not object to the use of the word.

MR. PRITCHARD MORGAN : You have always been insolent to me ever since I have been a Member of this House.

\*MR. SPEAKER : Order, order !

\*MR. GOSCHEN : I spoke of martyrdom. (Cries of "Sordid.") Does the hon. Member object to that word ? I presume, then, that the word he objects to is "sordid." While I did not apply that term to the hon. Member personally, I thought that the whole proceedings connected with an execution, the selling of an hon. Gentle-

man's goods, had a kind of sordid aspect. As, however, I do not wish even to seem to apply the expression to the hon. Member I readily withdraw it.

#### BUSINESS OF THE HOUSE.

MR. W. E. GLADSTONE (Edinburgh, Midlothian): Perhaps I may be permitted to ask the First Lord of the Treasury whether he can give us any information with respect to next week, and when we may expect to go into Committee on the Small Holdings Bill?

MR. A. J. BALFOUR: My hope is, unless business to-day and to-morrow takes a most unsatisfactory turn, that we may on Monday continue and finish with the Committee stage of the Small Holdings Bill. The only possible exception I imagine to the continued discussion on that stage will be that hon. and right hon. Gentlemen opposite may desire the Budget discussion. I may say that I have received a private communication from the right hon. Gentleman the Member for Derby, who is anxious that the Debate should not be taken before Thursday next, and I shall not, therefore, in any case, take it before that day.

MR. SEXTON: I wish to make an inquiry partly as to order and partly in the interest of the convenience of the House. The House will observe that the name of the Attorney General appears in connection with the discharge of an Order on the Criminal Evidence Bill. The House has already gone into Committee on that Bill, and I wish to ask whether it is in accordance with usage, under those circumstances, that there should be a Motion to abolish the Committee stage of the Bill? Then as to the question of convenience. The right hon. Gentleman the Leader of the House will remember that last Tuesday he said the first business to-day would be the Committee on the Criminal Evidence Bill, or so we understood him. Upon that understanding Members have prepared their Amendments, and, coming down with the intention of proceeding with the Committee stage, find themselves confronted with a Motion to abolish the Committee stage of the Bill, by placing it before a Law

Committee upstairs. I should like to know whether that is considered fair and convenient?

MR. A. J. BALFOUR: I understand the hon. Member makes two complaints against me. One is as to the answer I gave on Tuesday.

MR. SEXTON: Not against you.

MR. A. J. BALFOUR: I, however, am responsible for the alteration, and, therefore, am the one who must reply. The answer I then made is clear in my recollection, although it had to be given at a great speed owing to the hour. I stated that the first Order would be the Criminal Evidence Bill, but I did not say the Committee stage. I understand, in addition to that, the hon. Member thinks I have not given sufficient notice, and he says that the Motion only appeared on the Paper this morning. That is undoubtedly true. I have thought, and still think, that a formal application of this kind of Notice is not required. The last desire I have is to force out any discussion, and, after the appeal made to me by the hon. Member, I shall be prepared to take the Motion as first Order to-morrow instead of to-day.

MR. KNOX: I wish to know whether it will be competent for any Member, upon this Motion being put, to give Notice to-day that on the Motion being put to-morrow he will move an Instruction?

\*MR. SPEAKER: Notice for an Instruction to a Standing Committee will not attach to any Order of the Day, but will be an independent Motion.

MR. SEXTON: Then if the Bill were referred to a Standing Committee, it would be competent afterwards to move an Instruction to the Committee?

\*MR. SPEAKER: It would be perfectly in order.

MR. A. J. BALFOUR: On a point of order, and to prevent any misconception, do I understand your ruling to be that the Notice of Motion which is made by a Private Member would stand with Private Motions, and would come on with them, and would not come next in order to the Government Notice? I thought the hon. Gentleman gathered that he would have a right, if the Motion were carried, to

*Mr. Goschen*



move this Instruction. I understand your ruling to be that would not be so—that he would only have the privilege of a Private Member, and would have to ballot for his place.

\*MR. SPEAKER: I said a Motion for an Instruction would be an independent Motion, without precedence.

MR. SEXTON: Then it will be merely a matter of chance, and the right of a Member to move an Instruction to a Committee of this House will be destroyed?

\*MR. SPEAKER: Notice will have to be given of the Instruction. The Motion will be subject to the ballot. I understand the hon. Member asked me as to a point of order.

MR. SEXTON: I wish to know whether it is in order to move to discharge an Order in Committee upon a Bill the House has already gone into?

\*MR. SPEAKER: It is unusual, but no progress was actually made.

MR. KNOX: As it appears from the Notice Paper to-day, progress had actually been made with this Bill. The Chairman had reported Progress on the 4th April.

\*MR. SPEAKER: That is the technical expression. The Chairman of Committees must report something. He reports "Progress" although no progress may have been actually made—no progress, in the present case, was actually made.

Motion postponed till To-morrow.

\*MR. GOSCHEN: There is a Notice of Motion standing in my name for to-night, as to the Financial Relations of England, Scotland, and Ireland, and I think I may persuade my right hon. Friend to stop the Business of the House at about eleven o'clock this evening. It would then be competent for any other hon. Member to bring on the Orders of the Day, and, if so, we might be able to get to the Motion. If it is impossible to bring it on before twelve o'clock, my right hon. Friend may suspend Government business at six o'clock to-morrow in order to take the Motion. My right hon. Friend says, however, there must be a distinct understanding that unless there is fair progress with business we shall not be able to stop.

## ORDERS OF THE DAY.

### EDUCATION AND LOCAL TAXATION RELIEF (SCOTLAND) BILL—(No. 208.)

COMMITTEE. [*Progress, 3rd May.*]

Considered in Committee.

(In the Committee.)

#### Clause 2.

MR. HUNTER (Aberdeen, N.): I beg to move the Amendment which stands in my name, in page 2, line 35, to leave out the words "Parochial Boards," and insert the words "County Councils and Town Councils." The object of this Amendment is to secure that the whole of the money shall not be disposed of in this Bill, but shall have the advantage of the applications provided for County and Town Councils. So far as concerns the people who live in the rural districts, there is substantially no difference whether this money be given to the Parochial Boards or to the County Councils if the money is applied to the relief of the rates, with one important exception—that in connection with the County Councils there are certain rates which are payable exclusively by the owners. To these I presume the County Councils will not be permitted to apply any portion of this money. By this proposal £75,000 of Imperial money is to be devoted to the poor rate. Now, of the £75,000, at least £37,500 comes out of the pocket of what I may describe as the working class, which represents 73 or 75 per cent. of the population of Scotland. How much of the money you are distributing will that 75 per cent. obtain? Out of the £50,000, £25,000 goes at one fell swoop into the pockets of the owners of land, and the remaining £25,000 is distributed among occupiers and according to valuation. If we take 75 per cent. of the occupiers of dwelling houses in Scotland, we find that the total rent which they pay is under £2,900,000. The total valuation of Scotland is 24 millions a year, and we find the rateable value occupied by 75 per cent. of the population of Scotland is less than three millions. That is to say it is less than one-eighth. Consequently three-

fourths of the people of Scotland will not receive more than a sum that will slightly exceed £3,000 out of the total of £75,000, which it is proposed to distribute among the Parochial Boards. A fair valuation would show that three-fourths of the people of Scotland must have paid one-half of the £75,000, or £37,500, so that the great bulk of the voters in Scotland will be deprived of £34,000. Well that is a gross injustice. I challenge the right hon. Gentleman the Lord Advocate to contradict these figures if he can. I do not mean that he shall merely get up and say they are wrong: anyone can do that; but I challenge him to prove they are wrong. Now, Sir, that is the main point of my objection, but the other point of my objection relates to the persons who are going to receive this money—namely, the landlords. Now what will be the effect of making a present of £25,000 a year to the landlords of Scotland? Why, that when the property comes to change hands they will get a higher price for the property. That is a self-evident proposition. You cannot take a tax off land without putting into the pockets of the immediate possessor the whole capitalised value of that reduction. On the other hand, if you impose a tax on landed property the whole capitalised value of that tax necessarily falls upon the persons who happen to be the owners at the time. Well, I contend that to raise money by Imperial taxes which are not required for Imperial expenditure is an abuse of the powers of Government. To raise money in that fashion for the purpose of relieving the poor would be an injustice, but to raise money in that fashion for the purpose of oppressing the poor and relieving the rich, is about the most wicked thing that any body of men can do. On the grounds I have stated I maintain that we should reject this clause, or at all events we should substitute County Councils and Town Councils for Parochial Boards, because then, under the concession which has been made by the Government, there will be an alternative to the application of this money for the relief of the rates, and even if the Councils should, under the powers they have obtained, prefer to devote the money to the relief of the rates, their conduct would not lie at

the doors of the Government or at my own. Therefore I beg to move the Amendment.

Amendment proposed,

In page 2, line 35, to leave out the words "Parochial Boards," and insert the words "County Councils and Town Councils."—*(Mr. Hunter.)*

Question proposed, "That the words proposed to be left out stand part of the Clause."

DR. CLARK (Caithness): Unless this Amendment is carried, we shall be increasing at once the value of the land in Scotland by a million sterling. £37,500 will go into the hands of the landlords, and that, at 25 years' purchase, is a million of money. Now, will the Government give us some good reason for their proposal to increase the value of the landlords' property? Some of us are desirous of seeing a change in our land tenure, hoping by that means to make the most of the land; and we think, too, that the great increase in the land values due to the increase of population and the increase of wealth should go to the people who create it, and not to the few who enjoy the monopoly now. There are two ways of bringing that state of things about. One is by confiscation, and the other is by purchase. I am in favour of the principle of purchase; but if you are going, in the way I have pointed out, to add to the value of what we are going to purchase, then some of us will require to reconsider our decision. Surely the Lord Advocate, or some other right hon. Gentleman, will give us a reason for the course the Government propose to adopt, and why they do not agree to what I consider to be a fair compromise. As far as the next section is concerned, in which the distribution of £100,000 is dealt with, they have taken away the bulk of our opposition, and I think they should amend the proposal now before us, and agree to make the distribution on the basis of population instead of valuation. And why should they not agree to this fair and reasonable proposal of my hon. Friend (Mr. Hunter), that the whole of this money should go to County Councils and Town Councils to be used by them either for the reduction of rates or for such other

purposes as the Secretary for Scotland may consider desirable? The Government have made no actual compromise. The only thing they have done is to give a freer hand to the County Council in spending the money. I trust that the Government will allow this money to go to the County Councils and Town Councils who will be able to utilise it far better than the Parochial Boards, and that they will not allow the money to go at once into the pockets of the landlords.

\*MR. BARCLAY (Forfarshire): I rise to support the proposal of the Government, and I do so in the hope that the grant will have the effect of giving to Parochial Boards a little more money to follow out their natural inclination of adding somewhat to the comforts of the poor in various respects. Though I am sure these Boards are desirous of doing all they can for the poor, yet, as the House will readily understand, they are compelled at times to hesitate before placing any additional burden on the rates. Feeling sure that this money will be spent in a good direction, I give my cordial support to the grant.

\*THE LORD ADVOCATE (Sir C. J. PEARSON, Edinburgh and St. Andrews Universities): With reference to the remarks of the hon. Member (Mr. Barclay) who has just sat down, there is no doubt that the Parochial Boards will be able to take action in the way indicated by the hon. Member, although we do not propose in the Bill to limit or direct their action. As to the speech of the hon. Member who moved the Amendment, I think it is not quite relevant to the subject, and it would be inappropriate to the present discussion to enter into such a large question as he has raised. It is still less my duty to follow the hon. Member in the figures he has given, because this is the third time during the present Session that we have had an expression of opinion upon practically the same point as that which the hon. Member has raised. Therefore, I feel relieved from repeating to the House the arguments already submitted in answer. I will only say that if we were to split up our proposals in the way that has been attempted, we should require to investigate into the application of all the sums of money that are

to be allocated, in order to ascertain how far the other proposals in the Bill operate to benefit the poor, and how far to benefit the rich. Many claims have been urged for sharing in this fund, and it was considered right that what may be called the lion's share should be given to County and Burgh Councils in order that they might use it as they deemed fit. I must say that the Amendment is not one I can accept. The hon. Member seems to forget that while the County Councils and Town Councils get as much money as they can out of the fund they have all along been willing to recognise the right of the Parochial Boards to some of it, and therefore I ask the Committee to assent to this proposed distribution of £50,000.

MR. BRYCE (Aberdeen, S.): This is a question as between popular representative bodies and non-representative bodies, and we have much more confidence in the former than in the latter. But the matter has now become additionally complicated owing to the Government having agreed to give the County Councils and Town Councils, the power of applying the money going to them to purposes of general public utility. The Parochial Boards, on the other hand, will have to apply it to the relief of the rates, which we object to on financial principles generally. We also feel that the County Council, when they get the money, will be driven by popular opinion to apply it, not for the relief of the rates, but for other purposes of public utility. And we have, therefore, a stronger ground now than at first to desire the County Councils rather than the Parochial Boards to have this sum. It is said that if the Parochial Boards get this money more will perhaps be done for the poor than is done now. We desire that the poor should be liberally dealt with, but that is the duty of the Parochial Boards. We ought not to be told that it is necessary to get a grant from the Imperial Exchequer in order that they may do that which it is their duty to do.

MR. ESSLEMONT (Aberdeen, E): If the Government will concede that this money shall be given to the Parochial Boards only on the condition that they apply it to some purposes for

which it is not applicable at the present time, we should have no objection to the grant, except the objection that these Boards are not properly elected bodies. I hope it may be possible for the Government to make a concession in the direction of giving this money for the better education, for instance, of pauper children.

MR. MARJORIBANKS (Berwickshire): The hon. Member for Forfarshire (Mr. Barclay) has endeavoured to put a gloss on the words of the Bill. The Bill confines the Parochial Boards to using the proposed grant for the relief of the poor rates, but the hon. Member for Forfarshire says it does not mean that, but that the Parochial Boards may give additional comforts to the poor in the various parishes. If that view is accepted by the right hon. Gentleman opposite then the words "to relieve the local rates" are meaningless, and it seems to me, Mr. Courtney, that this is an undesirable encouragement to hold out to these Parochial Boards. Again and again have Bills been introduced into this House for reforming these bodies and putting them on a representative basis, and again and again they have been rejected by hon. Members on the other side of the House. If those Boards were representative we should not have so much objection to this proposal. To bodies like these we entirely object to give money, especially when we discover that this money is to be given not only for the relief of the rates, but for the purpose of encouraging further extravagance. I hope the House will reject the proposal, and will support the Amendment of my hon. and learned Friend.

(5.31.) MR. PARKER SMITH (Lanark, Partick): I regret that the Government do not accept this proposal to take this money from the Parochial Boards and give it either to the County Councils or to some other body. I agree with the right hon. Member for Berwickshire, that the present constitution of Parochial Boards is thoroughly unsatisfactory. He has spoken for the country districts, and we may speak equally for the towns. In the country you either have a very small body, or else the numbers are so great as to be totally unwieldy. In the towns there

is a wholly unsatisfactory system of election in which no one takes any interest. In the largest parishes in Glasgow and Govan the number of votes given have been almost preposterously small. Therefore I consider the constitution of these Boards is unsatisfactory; and, further, I think that the objects for which these Boards spend the money are not objects on behalf of which we can ask for any sympathy. The burden of the poor rates is a steady burden, and has been for a long time a diminishing burden. The only part of it which shows any increase is the charge for pauper lunatics, and I quite approve of the grant of £25,000 to relieve that burden, and gave my vote for it. These charges have recently risen very rapidly; but if you take the whole charge for the relief and maintenance of the poor, and leave out the charge for pauper lunatics, you will find it has very considerably diminished of late years. In 1887 the total amount paid for the relief of paupers, excluding lunatics, was £633,000; now it is £597,000. The population has increased largely and the actual charge has diminished, and even if you include the lunatics there is a decrease, because of the increased population and the increased valuation. In 1858 the poor rate was 1s. in the £, and the charge per head was 4s. 1d. Now the charge per head is just about the same, and the charge in the £ has gone down slowly and gradually to 8½d. The whole charge has increased very little while the valuation has doubled. It was £12,000,000 and it is now £24,000,000. If you take off this charge for pauper lunatics the rate of decrease of the poor rate would be something very considerable. Then it is urged that this money which is given to Parochial Boards will be spent on schemes which are outside the relief of the rates. I think that would be giving a dangerous power. Two special objects are mentioned. One is giving trained nurses to the poor and improving the hospitals; but this is a very small object. The amount contributed last year for trained nurses was only about £1,000, and I question whether it is necessary to spend any more. Then it is proposed to increase the grant to



widows who are left with children. That is a form of outdoor relief which, coming from a source outside the rates, would be very dangerous. You can trust the Parochial Boards to manage money economically when they have to raise it themselves; but I should be afraid to trust them with money which drops from heaven in the form of a Government grant. I do not feel that this is a proper channel for using this money, and I believe it is not necessary to expend it in relief of the rates.

(5.35.) MR. ARTHUR ELLIOT (Roxburgh): I agree with much that has been said about the constitution of these Parochial Boards, and I do not think that anyone can be satisfied with it. But the question is not how we should constitute the Parochial Boards, but how we should relieve the parochial ratepayers. It is the greatest fallacy to argue, as has been argued here to-day, that no one but the landlord benefits by the lightening of the parochial rates. The rates are shared by the owner and occupier, and they are largely paid by farmers. I have constantly found in the rural parishes considerable pressure from the rates, and I think, while so much is being done in one direction, the Government are perfectly right in seeing that some portion of this money goes in relief of these heavily-burdened people. A good deal may be said about Parochial Boards; but I would urge upon the Government that the parochial ratepayers are worth some consideration, and I hope they will adhere to the proposal contained in the Bill.

(5.38.) MR. R. T. REID (Dumfries, &c.): The hon. Member for Forfarshire (Mr. Barclay) pointed out that this money might be spent in some way outside the local rates.

MR. BARCLAY: I did not make that suggestion.

MR. R. T. REID: I understood him to say so; but what I want to point out is that under this clause the Parochial Boards are required to spend this money in the relief of local rates. I think it is very questionable whether a Parochial Board could spend this grant for any object for which they were not willing to raise rates. I think, from the reading of this clause, they will be compelled to spend the money purely for the relief of the ratepayers, and they

will be unable to incur any fresh expenditure. I think that is a point which might be decided by putting down an Amendment later on which will make it clear beyond all doubt what the Parochial Boards can do.

(5.45.) Question put.

The Committee divided:—Ayes 220; Noes 137.—(Div. List, No. 105.)

(5.55.) MR. LYELL (Orkney and Shetland): I wish to call attention to the manner in which this sum is distributed.

MR. HUNTER: I should like to ask you, Mr. Courtney, if I have not a prior Amendment to that of Mr. Lyell?

THE CHAIRMAN (Mr. COURTNEY, Cornwall, Bodmin): It seems to me that both Amendments come about the same point.

MR. HUNTER: I rise to a point of order, Sir. They are totally different and entirely distinct.

THE CHAIRMAN: Order, order! They occur at the same point in the clause.

MR. LYELL: I do not propose to go into the general question of the relief of the rates; but what I do wish to point out is that, according to the proposal of the Government, that relief will be granted to all parishes, and will be granted on the valuation. The Government proposals will press very hardly on those parishes where the valuation is low and the local burdens are high. They will press very hardly on the North of Scotland, and that is my special reason for bringing the matter to the notice of the Committee. As an extreme instance of the injustice of the Government proposal, I would point out that in a very densely-populated and rich parish the charges in respect of poor relief and school maintenance may be very low, whilst the amount of the valuation may be very high. Yet the maximum amount granted by this Bill would go to this parish, whilst the minimum would go to a parish which has a small valuation and has heavy burdens for poor relief and school maintenance. It may be further urged that in some parishes there may be from local endowments such a sum as would entirely meet the demands for poor relief and school maintenance, and these parishes might



receive a large sum under the grant, though the ratepayers have no burden upon them. The proposal is that there should be a relief of local rates, and I hold that the relief should be in proportion to the burden borne by the various parishes, and not according to population or valuation. The Government system of proportion according to valuation affords a rough and ready means of distributing this money; but I hold that the Local Taxation Returns afford to the Government and the Scotch Department an ample opportunity for distributing this money in proportion to the burden in each parish throughout Scotland. I have put down in my Amendment words referring to the "poor, school, and road rates," and I am quite aware that these rates do not exhaust the entire burdens falling upon the parishes; but they form a large proportion of the burden, and I think the other items might be left out of account. The hon. Member for Aberdeen has an Amendment on the Paper which deals to some extent with the same question, and to which similar arguments would apply; and that I should be willing to accept if the Government will adopt the principle of distributing the money on the basis of population, though I do not think that is a scientific method. It may be very well now just after the Census; but the subsequent variations of the population will render it almost impossible to get an accurate Return on which to make the distribution. My proposal does give a means of getting an accurate Return on which to make the distribution.

Amendment proposed,

In page 2, line 32, to leave out the words, "valuations of their respective parishes as such valuations," and insert the words, "the amounts levied in respect of poor, school, and road rates in their respective parishes as such amounts."—(*Mr. Lyell.*)

Question proposed, "That the words proposed to be left out stand part of the Clause."

(6.3.) MR. A. J. BALFOUR: The hon. Gentleman who has moved this Amendment will see that though, undoubtedly, arguments may be advanced in support of any principle of distribution, the principle of valuation is the principle which was adopted in the

*Mr. Lyell*

Act of 1890, and was found the most convenient principle when we were dealing with distribution as between Town and County Councils, and the adoption of another principle in this Bill would be extremely inconvenient. I do not rise to argue the case, however, but for the purpose of reminding the Committee that on Monday last, now three days ago, a compact was entered into between the Government on the one hand and I think every section on the other side of the House on the other, with all the seeming solemnity on which such transactions can be based, and it was arranged that on condition that the Government made certain concessions the Bill should be got through this stage on Tuesday afternoon. On Tuesday ten minutes to seven came and the stage was not finished. I do not wish to utter anything in the nature of complaint; but I must say I think the Government have some reason for thinking they have not been very well used by hon. Gentlemen opposite. It will be impossible to conduct the Business of the House on this kind of basis—a basis most useful in the conduct of Public Business—if when these compacts have been entered into and solemnly ratified they are departed from, as far as I can see, without any cause shown. I would venture most respectfully to press on the Committee the inconvenience of the course they are now adopting, and to request them, as the compact cannot now be fulfilled, to depart from it as little as possible.

(6.5.) DR. CLARK: I thought the right hon. Gentleman would have said something which would have avoided further discussion. The question before the Committee really is whether we shall leave out the word "valuation." We can agree to strike that out, and then fight over whether "assessment" or "population" shall be inserted. I should like to point out the effect on the poorer districts, especially in the Northern counties of Scotland. If the principle of valuation is adopted, the six counties under the Crofters' Act will get £5,200; if you adopt the population principle they will get £7,000. The burghs in these counties will get £1,800 under population and £1,300 under valuation,

so the counties will practically lose £1,800 and the burghs £500 under the Bill. The Bill will give the money to those districts not requiring it, where there are villa residences and high valuations, while the poorer districts which require most will get least. Argyllshire is the only county which will get more on valuation than on population, and that is accounted for by the fact that there are in it a dozen residential parishes composed almost exclusively of villas. If the people living in these highly-valued districts contributed to the Exchequer at the same rate as the people in the poorer districts, it might not be so bad; but the poor man, by his unfortunate habits of drinking whisky and smoking tobacco, contributes more in proportion to his income than the middle class. Perhaps the right hon. Gentleman has some little cause to complain; but we all had reason to hope that the stage would have been finished before this, and could not foresee such a question arising, and if he will say at once why the Government will not accept the Amendment the discussion might be shortened. He might tell us why the Government are not going to assist the poorer districts. I think a very strong case has been made out against valuation and in favour of population, because it is by population that the money comes in.

\*(6.10.) MR. SEYMOUR KEAY: On behalf of the counties I have the honour to represent, I must endeavour to press on the Government either to accept the principle of population, or to make some fairly intelligible statement which we can take to our constituents why they retain the inequitable principle of valuation, if they desire the discussion to be shortened. These two counties will get pretty much the same amount whichever principle is adopted—in fact, I think they would suffer a little loss on the population principle. The loss would be only £60, however, and that would be fully made up for if the money were given to those who most require it. I will give the right hon. Gentleman an instance of such clearness and gravity that it will convince him of the justice of my statement. In the Return of the Equivalent Grant distribution he will find that the

hard-working burgh of Lossiemouth will itself lose the whole of that £60. Under the principle of valuation that burgh will only get £26, whereas on the basis of population it would get £86. I am sure the right hon. Gentleman, who knows the needy nature of large fishing populations, will agree with me that there could not be a more crucial instance adduced to show the inequity of keeping from the poor and giving to the rich. If the money be distributed on the basis of valuation it will go to those parts of the counties which hardly need it at all.

\*(6.13.) MR. MARJORIBANKS: I only rise to make a suggestion which may meet the difficulty on both sides on this point. I would suggest that the Government might bring the matter to a speedy close if they consented to make the grant depend on a joint basis of population and valuation—to take the population and valuation, add them together, and divide. I speak against the interests of my own county in making the suggestion, as it would gain on the basis of valuation. Taking the counties, the total amount receivable out of a grant of £100,000 on the basis of valuation is £47,165, of population £38,141, and on the joint basis £42,653; on the basis of valuation for the burghs £45,030, of population £49,473, and on the joint basis £47,251; for the police burghs on valuation £7,843, on population of £12,384, and on the joint basis £10,113. If the Government adopt the joint basis they would meet the views of many of my hon. Friends, and it would cause material justice to be done to both counties and burghs.

(6.15.) MR. McDONALD CAMERON: I agree with the Mover of the Amendment, and not with the suggestion of the right hon. Gentleman. As far as my burghs are concerned, we should get on the basis of valuation £62, as compared with £72 on population. Dornoch would get £55 on valuation as against £137 on population. If the compromise were accepted we should not be better off. I shall vote, however, against valuation, and I hope the Government will accept the Amendment and not the compromise.

(6.17.) MR. FINLAY (Inverness, &c.): If the question were whether or not the Amendment of the hon. Member for Orkney and Shetland should be adopted, I should certainly vote against it. It seems to me to be putting a direct premium on extravagance. But the question is whether "valuation of their respective parishes" shall stand, and I am disposed to vote for striking them out, because I desire to see the basis of population adopted.

\*(6.19.) MR. LENG (Dundee): I agree with the hon. Gentleman who has just spoken. I should not have risen, but I desire to put in a plea for the large number of smaller burghs and police burghs. There are 69 Royal and Parliamentary burghs which, on valuation, will receive less than on population, and only ten that will receive more. But when you come to the smaller burghs and police burghs, the difference is still greater; 92 out of 106 will receive less, 31 will receive only half of what they would receive under the basis of population, nine will receive only one-third, and three only one-fourth, while 14 would receive a little more. I say that, in proportion as burghs are populous and poor, you would by this system deprive them of the money they should get; whereas the wealthy burghs, where the rating is higher, would receive the benefit. The villa burghs would receive more, while the fishing, mining, or industrial populations would receive less and less. The more you look into the Return moved for by the hon. Member for North Aberdeen the more inequitable the basis of valuation appears to be; and for that reason I have an Amendment later on that you should take the mean proportion between valuation and population. That would be equitable. It would diminish the amount given to those who are receiving an excess, and add somewhat to the amount given to those who are deprived of what is fairly due to them. I appeal to the Government to accept the equitable principle of taking the mean between population and valuation. This is, perhaps, the most important question in connection with the Bill, and if the Government accept my suggestion they will give no show of warrant to the charge made against

them that the Bill is strictly a landlord's Bill in its inception and construction, but will demonstrate that they wish to do fairly between the wealthy and poorer counties and burghs.

(6.22.) MR. BUCHANAN: I cannot confess to be impartial in this matter, and, therefore, I am a supporter of the proposal of the Government in the Bill, and I hope that they will retain that proposal and continue to distribute this money as former money has been distributed. My right hon. Friend says his suggestion is a compromise; but I dislike that still more, for I find that Edinburgh—which would undoubtedly suffer if the basis of population were adopted—will, if the combination of population and valuation be adopted, practically pay the whole of the difference in the burghs. If the right hon. Gentleman accepts the compromise, there is at least one person who will vote against him.

(6.25.) MR. JOSEPH BOLTON (Stirling): I wish to say a word in support of the Government on this question. My hon. Friends appear to be divided into two parties—those who would receive more on the basis of valuation and are against the proposal for population, and those who would receive more under population and are against the basis of valuation. This seems to me to be a Bill for the relief of local taxation; and, if so, whom is it intended to relieve? Those who contribute to taxation, I suppose. Consequently, as taxation is contributed on the basis of valuation, it is a reasonable and right course that relief should be distributed on the same basis. I have said my hon. Friends are guided by their interests; I am not, for I find, on looking through the list, my constituents will receive just the same amount, whether it be on the basis of population or valuation. Under these circumstances, I am, perhaps, a more impartial judge as to the best mode of distributing this money than are my hon. Friends round me.

\*(6.28.) MR. C. S. PARKER (Perth): A great variety of principles has been suggested to guide us in this matter. The hon. Members for the Inverness Burghs and for Edinburgh frankly avow that their vote is given solely in the interests of their constituents; but I

shall not follow that example. The distribution ought to be made on some sound principle. There are three suggested. One is to give it to the poorest and neediest; but I think to accept that might encourage local extravagance, for if the poor rate were doubled the amount would be larger, and if economy kept the rate down the amount would be smaller. Another principle is that it should be distributed according to the population, the view being that the money coming from Imperial sources and chiefly from the largest population ought to go back to the largest population. The third proposal is to go by valuation, on the ground that the whole policy of these Imperial contributions is to relieve ratepayers in proportion to their liability, which depends on valuation. But that policy is not accepted so fully in Scotland as in England. Therefore in Scotland, I think, we might take the compromise proposed by the right hon. Gentleman the Member for Berwickshire (Mr. Marjoribanks) as a very fair one. Seeing that the money comes from Imperial sources we might bring in population, and as it is to relieve local burdens we might bring in valuation.

MR. A. J. BALFOUR: I do not propose to accept another compromise, for the fortune of my suggestions, however much they may have been accepted, has not been very remarkable, and I am unwilling to put hon. Gentlemen a second time in the position of breaking faith deliberately—

MR. BUCHANAN: I rise to order. I beg to ask you, Sir, if the right hon. Gentleman is justified in using the words against hon. Gentlemen on this side that they broke faith deliberately?

MR. A. J. BALFOUR: Deliberately entered into.

THE CHAIRMAN: Whether the right hon. Gentleman is justified I do not know. It is perfectly consistent with Parliamentary usage.

MR. BUCHANAN: Do I take it from you, Sir, that the right hon. Gentleman was in order in stating that hon. Gentlemen on this side deliberately broke faith?

THE CHAIRMAN: There are abundant precedents for such language.

MR. A. J. BALFOUR: I was going to say, "Hon. Gentlemen broke faith deliberately entered into," and I do not believe there is a single Gentleman who hears me who doubts the accuracy of that statement. I rise for the purpose of referring to a suggestion which has been made by the right hon. Gentleman the Member for Berwick. That right hon. Gentleman has made a suggestion, but it has not been received with unanimity on his own side of the House; and therefore I might content myself with opposing the Amendment. By dividing this money according to valuation, you run the risk of helping those who need it least, and helping least those who need it most. It is possible to conceive an extreme case; that there might be a place in which the population was so wealthy that there would be no poor at all, and consequently no poor rates to be relieved. At the same time, the valuation might be so high that it might receive an enormous amount of money. No such case exists in Scotland of course; but I must observe that I think there is something to be said for the compromise suggested by the right hon. Gentleman the Member for Berwick on its merits, and I would recommend the House to accept it. Again, I would respectfully say that I do trust hon. Gentlemen will be content with recording their opinions upon this matter by their votes, because I think that every argument that can possibly be urged on the subject has been urged from almost every constituency in Scotland, and let us proceed to deal with the few remaining clauses of the Bill.

(6.33.) MR. CAMPBELL-BANNERMAN (Stirling, &c.): I regret that the right hon. Gentleman has spoiled the really good case which he had, up to a certain degree, by the heated and excessive language which he has used. ("Oh, oh!") I am not addressing myself to the hon. Member for Renfrew—I am addressing myself to the right hon. Gentleman. I say that even if the words of the right hon. Gentleman which he has addressed to us on this side of the House were really in order, I do not think that they were at all justified, in this instance, by anything that has occurred. The right hon. Gentleman talks of us

breaking faith, and he talks of a solemn compact. It was with me, if anyone, he made the contract; and what I said was this—that we had every expectation of being able to finish that Bill last night. There was no more than a strong expectation and hope expressed on our part, and I took occasion at that time to point out to the right hon. Gentleman that the compromise come to with regard to one part of this measure, that dealing with education, did not at all do away with the necessity for ample discussion, just as much as if no compromise on that subject had been arrived at, upon the question of the Universities, and the Parochial Boards; and this question which is before us now has nothing whatever to do with the matter that was in the right hon. Gentleman's view when the compromise was entered into. But I am entirely with the right hon. Gentleman, if only he had put it a little less high and used a little less strong language. I think he would have reason to complain if he saw the Scotch Members debating these matters at undue length after all that has passed. So far as I know, it is the intention and desire of my hon. Friends to get through this business as quickly as possible. This matter upon which we are now engaged is a new matter, a perfectly fresh subject, and a matter which intimately affects the constituency of every Member who has agreed to the compromise. If the right hon. Gentleman had taken action sooner, and if hon. Members on this side had not made their little speeches, there would not have been time for the Council of War which took place on the other side of the House within the last quarter of an hour, and in which the right hon. Gentleman sought very properly the opinion of his own friends upon this matter. If the Debate had been unduly curtailed the opportunity for that Council would not have occurred, and the right hon. Gentleman would not have arrived at the same wise decision at which he has now arrived. However, I am glad he has come to that decision, and I can assure him with regard to the rest of the Bill that though there are one or two like this, perfectly new topics, which must be dealt with, my

hon. Friends and myself will do our best to curtail discussion on them, so that we may not waste time in any way over it. But, at the same time, I must repeat what I said before, that when a perfectly new provision in this Bill comes up it is rather too much to expect that we should be contented with going to a division without having any opportunity of expressing our opinions on the subject.

(6.36.) MR. LYELL: In consequence of the compromise which has been arrived at, I beg to withdraw the Amendment which stands in my name.

Amendment, by leave, withdrawn.

(6.37.) MR. HUNTER: I think the fairest principle would be to divide this money as nearly as possible amongst the people who paid the money. I say as between counties and burghs that unquestionably burghs pay more of the Imperial taxation than the counties. Some of my hon. Friends who represent counties have altogether ignored the urban element in their counties. I maintain that the just principle is the principle of population; and that principle also coincides with the principle of assessments and rates. If you take the principle of valuation, then you relieve the rates in the rural districts by twice the proportion in which you relieve the rates in burghs, and therefore it is an unjust principle. But as the Government has met us half way in this case I shall not move my Amendment.

(6.39.) DR. CAMERON (Glasgow, College): I should like to know how the right hon. Gentleman is going to fix the population?

(6.40.) On Motion of Sir C. J. PEARSON, the following Amendments were agreed to:—In page 2, line 32, after “valuations,” insert “and population”; in line 33, after “valuations,” insert “and population.”

(6.42.) MR. CALDWELL (Glasgow, St. Rollox): I beg to move, in page 2, line 38, to leave out from “or,” to “Act,” in line 42, inclusive. The object of this Amendment is to stereotype the £100,000 for the County and Municipal Authorities. Then they will have the increment that takes place owing to the increased school attendance. Supposing the schools get the



benefit of the increment, it will no more than meet the extra cost they will be put to by the increased school attendance. If they get this extra grant they will have a less deficiency to assess for, and the school ratepayer will have so much the less to pay, and the amount will be distributed one-half on the owners and one-half on the occupiers. Therefore I hope the Government will have no objection to accept the Amendment, which does not alter the principle of the Bill, and will simplify its provisions.

Amendment proposed,

In page 2, line 38, to leave out from the word "or," to the word "Act," in line 42, inclusive.—(*Mr. Caldwell.*)

Question proposed, "That the words proposed to be left out stand part of the Clause."

\* (6.43.) **SIR C. J. PEARSON:** This Amendment proposes to alter the scheme of this Bill in a simple and comparatively trivial respect, but I venture to say that the hon. Member has not accurately estimated the effect of the clause as it stands. I cannot accept the proposal of the hon. Gentleman.

Question put, and agreed to.

(6.44.) On Motion of Sir C. J. PEARSON the following Amendments were agreed to:—In page 3, line 4, after "valuations," insert "and population"; in line 5, after "valuations" insert "and population"; in lines 7 and 8, leave out "to the relief of local rates levied by," and insert:—

"(a.) to the relief of local rates levied by; or (b.) in aid of the expenses incurred, or to be incurred, under any statutory power from time to time vested in."

In line 9, after "determine," insert—

"Or (c.) under any scheme of public utility framed by them respectively, subject to the approval of the Secretary for Scotland."

(6.48.) **MR. HUNTER:** I shall move my Amendment in the form of an addition to the Lord Advocate's proposal, and that is that the Government shall have it in their power to give the County Councils and Town Councils power to apply this money for other purposes of public utility subject to the approval of the Secretary

for Scotland. In regard to that, I venture to think that there are a certain number of objects of such obvious public utility that these bodies should be at liberty to advance the money for these objects without going to the Secretary for Scotland at all. The objects which I have enumerated for the relief of any one or more of which this money may be applied are the following:—

"(1.) The relief of unemployed workmen in time of distress. (2.) The establishment and maintenance of labour bureaus, or in contributing to such establishment and maintenance. (3.) The better housing of the working classes. (4.) Contributing to pensions for working men and women over sixty years of age, or to the fatherless children of workmen. (5.) Procuring allotments or small holdings, and advancing money by way of loan to assist in stocking such allotments or holdings. (6.) Extension of crofters' holdings. (7.) The development of the sea fisheries, and advancing money by way of loan to fishermen for boats and tackle, and for the purchase and management of mussel beds. (8.) Establishing and maintaining, or contributing to the establishment and maintenance, of art galleries, and the purchase of pictures and other works of art. (9.) Establishing, maintaining, or contributing to the establishment and maintenance of public libraries. (10.) The promotion of technical education. (11.) Providing public halls, parks, gardens, places of recreation, and free gymnasias. (12.) Paying fees of scholars in evening or continuation schools. (13.) Paying the reasonable travelling expenses of members of county councils. (14.) Making or improving harbour accommodation."

I venture to think that the application of the money to the relief of unemployed workmen is an object which is well worthy of the sympathetic consideration of the House. I think this money might also be applied in establishing and maintaining Labour Bureaus, or Town Councils might be enabled to contribute money to such Labour Bureaus if established and maintained by other persons. I know that in the future the labour question will increasingly force itself upon the attention of Members of this House, and I think no objection can be taken to this proposal. As to the housing of the working classes, the Town Councils have already statutory powers to contribute the money for that purpose. I venture to say there can be no harm in giving the Town Councils and County Councils power to use a share of this money for the purpose of old age pensions. I do not make it compulsory, but I leave it

to their discretion. Another object of the greatest possible importance is the procuring of allotments or small holdings, and advancing money by way of loan to assist in stocking such allotments or holdings. Another meritorious object also is the extension in certain parts of Scotland of the crofters' holdings. This money might be very usefully applied to the other objects enumerated. Why should not power be given to apply some portion of this money for objects which I think we are all agreed are of the highest utility in the view of the coast counties of Scotland? It would be a great advantage to some towns like Aberdeen, where there have been picture galleries established by the liberality of private individuals, if it was in the power of the Town Councils to apply such portion of the money as they thought fit to complete those art galleries, and to supply them with works of art. As to public libraries, the public library in Aberdeen is labouring under the greatest difficulty. The fund created by the rate of a penny in the pound is exhausted, and public subscriptions are solicited to enable them to have a house in which to put their books. Surely it is most desirable that power should be given to apply a portion of the money for such a purpose as this. With respect to all the objects I have enumerated, I think they are objects of such manifest and obvious public utility that the Town and County Councils might well be allowed power, if they thought fit, to apply the money for these objects without the necessity of coming to the Secretary for Scotland for his approval. This Amendment, if carried, would have the effect of saving the Secretary for Scotland from the trouble of receiving an immense number of applications in connection with the distribution of this money. I venture to hope, under these circumstances, that these words will be added to the Bill.

#### Amendment proposed,

In page 3, line 7, to leave out "to the relief of local rates levied by," and insert "to any one or more of the following purposes:—

- (1.) The relief of unemployed workmen in time of distress. (2.) The establishment and maintenance of labour bureaux, or in contributing to such establishment and maintenance. (3.) The better housing of the working classes.

*Mr. Hunter*

(4.) Contributing to pensions for working men and women over sixty years of age, or to the fatherless children of workmen. (5.) Procuring allotments or small holdings, and advancing money by way of loan to assist in stocking such allotments or holdings. (6.) Extension of crofters' holdings. (7.) The development of the sea fisheries, and advancing money by way of loan to fishermen for boats and tackle, and for the purchase and management of mussel beds. (8.) Establishing and maintaining, or contributing to the establishment and maintenance, of art galleries, and the purchase of pictures and other works of art. (9.) Establishing, maintaining, or contributing to the establishment and maintenance, or contributing to the establishment and maintenance of public libraries. (10.) The promotion of technical education. (11.) Providing public halls, parks, gardens, places of recreation, and free gymnasia. (12.) Paying fees of scholars in evening or continuation schools. (13.) Paying the reasonable travelling expenses of members of county councils. (14.) Making or improving harbour accommodation, or any other object of public utility approved by the Secretary for Scotland."—(*Mr. Hunter.*)

\* (7.0.) **SIR C. J. PEARSON:** I do not know whether, after the Amendment which I have proposed, the hon. Member will consider it necessary to press for this catalogue, or programme, or whatever he chooses to call it. In so far as these objects are purposes of public utility, they are within the Amendment which I have inserted, and surely it is rather much to ask the Committee to pronounce upon them and to affirm that they are all purposes upon which a Town or County Council should be entrusted to spend the money. It seems to me that the two safeguards which the Government propose are reasonable and proper, and, indeed, necessary. One is that in any application of this money to purposes beyond those for which Councils have now powers, they should come to a responsible Minister to get his assent; and the other, which is equally important, is that they should carry with them to him a scheme for his approval, for it seems to me that the reduction of the proposals to a scheme supplies a test not merely of sincerity, which may be assumed, but of feasibility. On these grounds I oppose the Amendment.

(7.2.) **MR. CAMPBELL-BANNERMAN:** May I appeal to my hon. Friend not to press his Amendment? He deserves great credit for having drawn out an exhaustive list of all works of public utility, and, if I may offer him

any advice, it would be that he would do good service if he had it handsomely printed, and forwarded a copy of it to every Town and County Council in Scotland, in order that they may always have before their eyes a catalogue of those works of public utility out of which they may find schemes to be approved by the Secretary for Scotland. If at any time they find themselves with a little money in their hands for which they have no use, they could then ransack this list. As the Bill was originally drawn, I approved the idea—in our difficulty of disposing of this money—of in some way indicating to the Town and County Councils a certain number of good objects to which they might apply the money; but now that the Government have conceded, at our instance, the enabling of these Public Bodies to give the money in aid of the expenses incurred under any statutory power they may have, or under any scheme approved by the Secretary for Scotland, I think my hon. Friend will see that it is hardly necessary to go into details.

(7.5.) MR. HUNTER: The right hon. Gentleman has stated that which is perfectly true. Circumstances have considerably changed since my Amendment was put down, but still I thought it desirable to occupy for a few minutes the attention of the Committee in order that Town and County Councils might see that there is a large sphere of objects of public utility upon which this money may well be expended; and I believed that if the short legal terms of the Lord Advocate's Amendment were the only thing they knew, they might not really appreciate their wide powers. I agree that the words of the Lord Advocate are as wide as the objects which I have enumerated, and, therefore, I will gladly accede to the suggestion, and ask leave to withdraw the Amendment.

Amendment, by leave, withdrawn.

(7.6.) MR. CRAWFORD (Lanark, N.E.): I am glad to say that by the courtesy of the Lord Advocate I have been made aware that the Government are willing to accept this Amendment, and I will, therefore, only say that its object is to give to Town and County Councils the power of accumulating the

funds which we now place at their disposal for the various purposes we have been discussing. Without that power of accumulation, the power of dealing with this money would be almost useless, and I accept the adoption of the Amendment by the Government as an extremely valuable and useful concession, to which I hope the Committee will agree.

Amendment proposed,

In page 3, line 12, at end, add, "Any moneys received by a County Council or a Town Council or Police Commissioners under this section, and directed by Resolution to be appropriated or to be set aside for any purpose authorised by this sub-section other than the relief of the rates shall, although not expended or specifically contributed or allotted in whole or in part before the end of the financial year, remain applicable for such purposes."—(Mr. Crawford.)

Amendment agreed to.

(7.8.) DR. CLARK: This is an Amendment that I have put down in order that—

"No portion of the sum of thirty thousand pounds in sub-section two shall be applied to any university in which provision shall not have been made for the full recognition of extra-mural teaching as qualifying for graduation and entitling the extra-mural teachers to representation on the examining bodies."

When we had the Bill appointing the Universities Commission we were desirous of having a clause compelling them to recognise extra-mural teaching, but the Government persuaded us to accept as a compromise a permissive clause. Since then we have had the Ordinances, and we find that the permissive power has not been carried out. Under the old Act and the old Commission extra-mural teaching was recognised in the Medical Faculties, but by the Ordinances which will probably become law next week extra-mural teaching is only recognised in the Medical Faculties to the same extent—namely, one-half of the classes. There is no extra-mural teaching recognised in the Faculty of Arts or in any other Faculty, and what we ought now to do is to limit the Universities until extra-mural teaching is recognised in all subjects, and the teachers have a fair share of the representation on the Examination Board. Why should we not have extra-mural teaching in Arts? In all Scotch University towns there are good secondary schools with able masters; and if extra-

mural teaching in Arts were permitted, these men would qualify for the Chairs. In large towns like Edinburgh and Glasgow it is almost impossible for Professors to do their work; and if you look at the Return got on the Motion of my hon. Friend the Member for North Aberdeen (Mr. Hunter), you will see that in consequence of the large number of students—the salaries from fees run from £2,000 to £3,000 a year—they have got to examine 100 students at a time. In order to have classes that the Professor and his assistant can give proper attention to, it is necessary to recognise more fully than has been done in the medical profession this system of extra-mural teaching. I will give one or two practical instances in reference to this matter. Take probably the ablest man on the Commission—a nobleman that we are all very proud of—Sir William Thomson, now Lord Kelvin. He is one of the ablest scientific men in Scotland during the whole of the century, but no one who has had experience of his class would say that he is the best possible teacher. He has got talents and powers—extraordinary talents and powers of their kind—but they did not lay in the direction of teaching. And if you take other men of great powers and talents, you will find that they are not the best possible teachers. What we want to have is a fair amount of extra-academical competition with the men who get the Chairs. You have the great Glasgow Infirmary, a splendid clinical school, and St. Mungo's College, and these gentlemen are just as able to teach, and they have better facilities for clinical instruction than you have at the University, and why should they not have some chance of getting students and having their classes well filled? I do not see why there should be this limitation. The second point which I have laid down in my Amendment is that there should be representation on the examining body of these extra-mural teachers, and I should like to hear the opinion of the Government, and the course they intend taking in reference to this, not the least among the many debateable questions that have been settled by the University Ordinances.

*Dr. Clark*

Amendment proposed,

In page 3, line 12, at end, add—"Provided always, that no portion of the sum of thirty thousand pounds in sub-section two shall be applied to any University in which provision shall not have been made for the full recognition of extra-mural teaching as qualifying for graduation, and entitling the extra-mural teachers to representation on the examining bodies." - (*Dr. Clark.*)

Question proposed, "That those words be there added."

(7.15.) THE SOLICITOR GENERAL FOR SCOTLAND (Mr. GRAHAM MURRAY, Bute): I think the Committee will scarcely be surprised to hear that the Government cannot see their way to accept this Amendment, and I think it is only necessary that I should explain to the Committee what is the course that the hon. Member is practically pursuing to get their adhesion to the position of the Government upon this matter. The Committee are aware that several years ago the University Act was passed; and that, in order to carry out the reforms suggested by that Act, an Executive Commission of extraordinary strength was appointed. This Commission has been continuing its labours for several years, and those labours are now embodied in Ordinances which are on the Table of the House, and upon which we shall hope to have a full discussion some of these days at a period not far remote. It is surely too much to expect that the House should, upon a Debate of the kind which is possible in the present connection, put in by an alteration of this Bill a qualification which it refused to put in the Bill dealing with the whole subject. It is perfectly impossible for me to follow the interesting personal reminiscences of the hon. Member, and I must really respectfully decline to go into the very large subject of extra and intra-mural teaching. I would remind the Committee that in so far as the hon. Member puts these words on the Paper, he is forestalling the judgment of the House. When the discussion takes place upon those Ordinances, and when we come to that portion of the Estimates proposing a certain amount of money for the University, the hon. Member will have an opportunity of setting forth his views. In carrying out the compromise which has been made, I believe hon. and right



hon. Gentlemen opposite will agree that the discussion of a subject which has been brought in like this upon the consideration of this Bill ought certainly to be excluded.

(7.18.) MR. WALLACE (Edinburgh, E.): I cannot understand the concluding remarks of the Solicitor General upon this matter. I was not aware that any contract was entered into by the Opposition that would have the effect of precluding any remarks in this connection. If there was any contract between any parties that were responsible, I, for one, have never been aware up to this moment that it embraced the exclusion of the topic which is now before the Committee. The Solicitor General's remarks upon this subject were of so nebulous and nondescript a character that I am precluded by the ordinary canons of criticisms from making any further comment upon them. All I can say in this connection is that the point he has endeavoured to turn off in this slight and flimsy way is one that ought not to have been dealt with in that style. It is one of very great importance indeed. When the Universities Act was passed—when the Solicitor General was elsewhere, and therefore not likely to have cognisance of the importance attached to it—one of the most particular points discussed was this very one of extra-mural teaching, and by a considerable succession of efforts those on this side of the House succeeded in having put into that Act a special and leading indication of the desire of the Legislature as to the position of extra-mural teaching in Scotch Universities. I do not think the Solicitor General will contradict me when I say that in that Act there was a distinct indication on the part of the Legislature that extra-mural teaching was to be made a very prominent point on the part of the Commissioners in arranging the new constitutions of the Universities. All that we ask is that Parliament should be true to its original indications. I think that in the last Universities' Act Parliament almost gave a direction—I will go further, and say Parliament altogether gave a direction—that extra-mural teaching should be a prominent point to be observed by those who were to carry out the directions of Parlia-

ment in connection with the modes of instruction in the Scotch Universities. If we had not had indications that this was not to be carried out, I should have said that there would have been a justification for the attitude that the Solicitor General has taken up. But he must have been perfectly well aware that the way in which the instructions of Parliament have been carried out has not been in the spirit of those instructions, and that extra-mural teaching has been discouraged; that so far from anything in the nature of extra-mural teaching being carried out, it has only been done in name and in appearance, and everything has been done for the purpose of discouraging it in spirit and in substance. I do not think we are doing too much in declaring what we declared before, that we desire that extra-mural teaching should be encouraged in a reasonable manner; and in taking material security in this Bill that our instruction shall be carried out, I have no doubt that if the Amendment is adopted, we shall have some material guarantee that our instructions in the Universities Bill of 1889 shall be effectually carried out instead of being evaded and escaped, as we know in point of fact is the case at the present moment. The Lord Advocate and the Solicitor General are perfectly well aware of the circumstances under which the order of 1889 is being evaded and escaped. I say this House would be simply performing a duty to itself in adopting its own Amendment.

(7.25.) DR. FARQUHARSON: I do not think the hon. Member for Caithness deserves to be contemptuously waved aside for bringing up this question on this occasion, because we know what is the nature of the opportunity we shall have of discussing the question on Monday night. If the First Lord of the Treasury will give an assurance that he will suspend the Business at an earlier period on Monday night than usual, so that we may have a discussion of this very important question before twelve o'clock, then I think we should be quite disposed to let this matter drop now. The question is one of vital importance to the prosperity of the Universities. We have given a sum of £30,000 under this Bill to be expended in University education,



and I see no particular reason why we should not discuss it in connection with extra-mural teaching. It has been of such enormous benefit on the medical side that I cannot for the life of me see why it should not be applied in equal measure to the art side of education. I do not think my hon. Friend is quite justified in saying the Professors do not perform their work properly. I believe they do; and I do not grudge them the salaries they get. I would again ask the First Lord of the Treasury whether he will give us better facilities for the discussion on Monday night?

(7.28.) MR. FINLAY (Inverness, &c.): I think any one coming into the House during the last two minutes would suppose the subject under discussion was a Bill for the amendment of the Scotch Universities Act. I do very respectfully submit to my hon. Friend that this is hardly the occasion for raising such a Debate. I do not think a subject so very important as extra-mural and intra-mural teaching ought to be raised in this form. I presume, Mr. Courtney, the Amendment is technically in order, or you would not have allowed it. But it does appear to me to be entirely contrary to the spirit which ought to actuate hon. Members, and it is certainly not quite in conformity with the understanding arrived at the other night.

(7.29.) MR. E. ROBERTSON (Dundee): I rise to appeal to the hon. Member for Caithness not to press his Amendment at the present time. I agree that this is not a proper occasion for the discussion of this question. It ought to be discussed really on the Ordinance framed by the Commissioners. I think the First Lord of the Treasury could now end the discussion by making this very reasonable concession as to the Ordinances.

MR. A. J. BALFOUR: The University Ordinances must be discussed before the 12th inst., therefore the time is greatly limited. I entirely sympathise with what has fallen from the hon. Member for Caithness; but, at the same time, the House will see that the Government cannot provide the extra time required for the purpose. I would remind the Committee that I was asked by the right hon. Gentleman the Mem-

ber for Midlothian what the intentions of the Government are in regard to the conduct of business during next week, and that I stated that we proposed to take the Small Holdings Bill on Monday. If good progress is then made with that Bill, and we arrive at a suitable halting stage, no doubt the discussion might come on at 11 or soon afterwards. I cannot go farther than that.

DR. CLARK: I think another suggestion might be made. There is only one small Motion on the Paper for tomorrow night, about Kew Gardens, which stands in the name of the hon. Member for Evesham (Sir R. Temple); perhaps the hon. Member for Aberdeen could bring on his Motion then.

MR. A. J. BALFOUR: For what day is it down?

DR. CLARK: It is put down for Monday. Can it be withdrawn and put down for Friday?

MR. A. J. BALFOUR: Possibly it would be in Order to put down the Motion in some other name for tomorrow night.

DR. FARQUHARSON: My Motion deals only with a very small and specific medical point; it has nothing to do with general policy.

DR. CLARK: The Motion of the hon. Member for Evesham could be very well taken on the Estimates. If the hon. Member took a Division tomorrow the Scotch Members could talk, but not divide. I see the hon. Member for Evesham in the Gallery. Perhaps he will settle the business now by saying a few words.

SIR R. TEMPLE (from the Gallery): No, no!

MR. A. J. BALFOUR: I think the difficulty could be met by setting up Supply again, if it can be done.

DR. CLARK: We can move that the Speaker leave the Chair, if we can do nothing else.

MR. HUNTER: It would be quite in order, I believe, for the hon. Member for Evesham to speak from the Gallery.

SIR R. TEMPLE: No.

*Dr. Farquharson*

MR. A. J. BALFOUR: We could divide now, and discuss the matter to-morrow, or we could discuss it to-morrow, and divide on Monday.

Amendment, by leave, withdrawn.

Clause agreed to.

Clause 3.

MR. BRYCE (Aberdeen, S.): I beg to move, in page 3, line 14, to leave out "Relief," and insert "Account." This is the last Amendment to the Bill which is on the Paper, and I hope the Government will accept it. It would alter the title to the Education and Local Account (Scotland) Bill. It will be recollected that the character of the Bill has been changed, and I submit that the alteration I propose would be a fitting one to make in it.

Amendment proposed, in page 3, line 14, to leave out the word "Relief," and insert the word "Account."—(*Mr. Bryce.*)

Question proposed, "That the word proposed to be left out stand part of the Clause."

Question put, and negatived.

Clause, as amended, agreed to.

SIR C. J. PEARSON moved, in page 2, after Clause 2, to insert the following clause:—

(Allocation of Fees and Compensation to certain Teachers for loss of Fees.)

"Notwithstanding any provisions in any statute, scheme, provisional order, deed, or instrument, it shall be lawful for the governing body or managers, whether School Board or other, of any school to which a grant is made under the provisions of Section 2, Sub-section 1, of this Act at any time, and from time to time to alter or reduce the fees exigible therein, or to regulate the disposal or application of such fees: Provided, that any teacher of a higher class public school, appointed before the passing of this Act, having a vested right to fees exigible in such school, shall be entitled to receive from the School Board, compensation in respect of any loss sustained by him under the provisions of this section, and such compensation, failing agreement, may be determined finally by the sheriff, and shall be payable out of the school fund."

Clause agreed to, and added to the Bill.

Bill reported; as amended, to be considered upon Thursday next, and to be printed. [Bill 332.]

MR. McDONALD CAMERON: Can the Government give us the names of the Departmental Committee?

MR. A. J. BALFOUR: The question of the names of the Departmental Committee is engaging the attention of the Government, and I hope to be able to announce them before the Report stage.

# SUPERANNUATION ACTS AMENDMENT (No. 2) BILL.—(No. 275.)

## COMMITTEE.

Considered in Committee.

(In the Committee.)

Clause 1.

MR. STOREY (Sunderland): I do not think we can make any progress with this Bill until the Government have given us some information with reference to the scope of its provisions. At the present time, as I understand it, certain classes of public servants, if removed from one service to another, can count the whole of the time in respect to superannuation. Now, I am not prepared to say that that is unreasonable or unfair. But the point upon which I want information is this: To what classes of public servants does the existing law apply? I would also like to ask to what class of servants are we to understand that the present Bill applies, and why are the Army and Navy to be exempted? I am only asking this for the sake of obtaining information on the subject. I have no desire to oppose the Bill. I wish to see certain grievances redressed. If we propose to extend to Civil Servants the same rights which others possess to superannuation, then I would submit that whether it be proper or improper in itself, it is extremely inconvenient to make such a charge on the Exchequer in such a Bill as this. I find the expression "public office" means "any office the money for which is paid out of a fund receiving a contribution from any of the public sources." That means that any county or borough fund, inasmuch as they receive a contribution out of the Imperial Funds, can, by the Treasury, be termed a public source; and thus it follows that a policeman who transfers from the north to the south

may include his former service for his pension here in London. Under the Act of 1859 he can only reckon one-half of such time. Therefore it seems to us there is a considerable chance that the House may, without knowing it, go much further in the direction of superannuation than it expects. I will put another case, which is sure to provoke some speech from the hon. Members who represent Ireland. As I read the Bill the effect will be that any person who has served Her Majesty in any part of the world will be able to go to Ireland, procure engagement as a policeman, and to count the whole of his services, in any part of the world, and in any department, for superannuation. Thus, before agreeing to the Bill, the right hon. Gentleman must not wonder if, under these conditions, we desire to know what we are doing. The information I want is this—to which class of public servants is it to relate? If he will tell us that it has got no general application, that it is merely to remedy some little grievance, I do not think there will be any objections to it. If, on the other hand, under cover of these innocent provisions, it is really an enlargement of the whole scope of our superannuation arrangements, so as to enable a large section of public servants to count time served in various parts of the world towards pension, then I submit that such a proposition should be fully explained to the Committee. In order to give the right hon. Gentleman an opportunity of explanation I move to report Progress.

THE CHAIRMAN: It will only add to the irregularity to make that Motion. The right hon. Gentleman the Secretary to the Treasury will probably make his explanation; but it is impossible for him to make a speech on that Motion.

THE SECRETARY TO THE TREASURY (Sir J. GORST, Chatham): I thought when this Bill was read a second time that I had made what I supposed to be a lucid explanation of its contents. I can assure hon. Members that it does not tend to greatly increase the charge upon the taxpayers. The Bill may have very little effect—probably none—in that direction. It is a Bill to

remedy certain practical difficulties which have been found in regard to the Superannuation Acts; and among those who will benefit most are some of the poorer class of Civil Servants of the Crown. As to the question who are the particular persons under the Crown who may be transferred without losing right to pension, and who are those whose right to pension is lost by transfer from one place to another—I cannot undertake to exhaust those questions without consultation with my legal adviser, and without sufficient examination of the various Acts authorising the grant of pensions. If the hon. Member will be content with a general practical answer, I may say that the Departments in which these provisions are necessary are the Prisons Department and the Constabulary Department. I think when I have mentioned those Departments—there may be others—I have practically answered the question of the hon. Member. As to the necessity for this Bill I will mention one case, actually now before the Treasury. The man was a warder in Canterbury Prison from March, 1875, to April, 1878, his salary at that time being paid out of the county rates. He then became a warder in Wandsworth Prison from 1878 to February, 1886, his salary being paid out of the Parliamentary Grants. From February 1886 to March 1891 he was a turnkey in the Isle of Man, his salary, of course, being paid out of the Isle of Man revenue. This man, after serving the public for many years, is now reported unfit for duty on account of ill-health, but at present the Treasury is unable by law to give him any superannuation allowance whatever. I think even the hon. Member who has just addressed the House will agree that that kind of man ought, in his declining years, and when his health has failed, to have a pension out of the revenue of the different authorities under which he has served. This Bill will enable the Treasury to make rules for giving that kind of man a pension, and to allocate the amount to be paid out of various public funds. It will apply to every part of the United Kingdom. I hope the hon. Member is now satisfied that there is no latent conspiracy. Certainly no

*Mr. Storey*

Member of the Government will be benefited by it, and there is no intention to greatly add to the charges on the revenue. The Bill is really one to enable the Treasury to redress certain grievances which have sprung up.

MR. PHILIPPS (Lanark, Mid): There was an idea below the Gangway that this Bill really aimed at benefiting certain high officials. The right hon. Gentleman has told us that this Bill will not benefit any Member of the Government. And I do not suppose it would, as a Member of the Government; but it certainly was thought that the Bill would benefit those who held office abroad—office under the Indian or Colonial Government—and that, while ostensibly aiming at the class of servants the right hon. Gentleman has named, it would really benefit the much wealthier class of public servants. Therefore, I wish to ask whether the right hon. Gentleman would be willing to put a clause in this Bill to render it absolutely impossible for anybody who has drawn a large salary in the Public Service to be at all benefited?

\*SIR J. GORST: I do not think it would be possible to introduce such a clause—it would be very invidious to make distinctions. The principle of the Bill will, no doubt, apply alike to officers of the upper and the lower grades; but I do not know where the hon. Member draws the line of high salary. It would affect the case of a man who has been transferred between the Home and the Indian Services, and who might put together his Indian service with service in this country, and be pensioned on retirement in respect of his whole service.

MR. PHILIPPS: An Indian Governor?

\*SIR J. GORST: If the hon. Member asks me conundrums of that kind, I can only give him an answer proverbially worthless. If the hon. Member really wants information on the subject, and will put a question on the Paper, we shall endeavour to give him an answer.

MR. KNOX: I think we have legitimate reason for allowing the Motion of the hon. Member for Sunderland (Mr. Storey) to stand. We understand that by putting down a question on the Notice Paper we may discover when the

Bill has passed through the House what it is we have been engaged upon. I submit that is not a reasonable answer for a Minister in charge of a Bill to give to an hon. Member who asks a practical question as to the effect of the Bill.

\*SIR J. GORST: I have answered the hon. Member, but it is impossible for me to state all the classes the Bill would embrace. It is a question for the Attorney General. My opinion would only be the answer of a lawyer without fee.

MR. KNOX: We expect the right hon. Gentleman not only to give the opinion of a lawyer upon the subject, but also to give us the effect of his official information as to what would be the result of this measure. There is another reason for reporting Progress. A Commission sat for some years and made an elaborate Report upon this among other subjects. On that Commission there were the right hon. Gentleman the Member for Wolverhampton (Mr. H. H. Fowler) and the hon. Member for the Stretford Division of Lancashire (Mr. Maclure). The right hon. Member for Wolverhampton has expressed his wish to be present during the consideration of this Bill, and it is unfortunate that the Bill should twice have come on when, in the ordinary course of business, it was unexpected. Inasmuch as none of the recommendations of the Commission have been literally carried out in this Bill, it is surely desirable that, when the measure comes on for discussion, there should be some Members of the Commission present who can give an opinion untrammelled by Governmental connection. I understand the Commission reported that no further grants should be given; no increase should be made in the superannuation allowances until provision had also been made for a five per cent. reduction from the salaries of officials. Until the one thing has been accomplished, I do not think we should do the other. It is, too, a strange thing that we are without any explanation as to whether the Bill affects Resident Magistrates in Ireland. We are told that this Bill chiefly concerns prison and constabulary officers. What we want to know is, does it affect the Irish Resident Magistrates?



VISCOUNT CRANBORNE (Lancashire, N.E., Darwen): I should like to ask, Sir, if the hon. Member is in Order in discussing these various points?

THE CHAIRMAN: The whole discussion is irregular, but I understand that the hon. Member intends to move to report Progress.

MR. KNOX: Well, Sir, I will just say that I object to proceeding with the consideration of this Bill, until we have some further knowledge of what it consists. Above all things we desire to know if it is intended to benefit Resident Magistrates. No distinct answer has been given to us on this and other points, and I therefore move to report Progress.

Motion made, and Question proposed, "That the Chairman do report Progress, and ask leave to sit again."—(*Mr. Knox.*)

\*(8.12.) SIR J. GORST: I think the present is not a favourable time for discussing the question, which is that of removing a great hardship to a very deserving class of public servants. I may say that the right hon. Gentleman the Member for Wolverhampton (Mr. H. H. Fowler) has no desire for further alteration in this Bill beyond an Amendment which I have agreed to move at the proper time. The Committee, I hope, will now enter upon a business-like discussion of the clauses. I should be out of Order if I were now to enter into discussion on the principle of the Bill. That is not a business we should discuss this evening, and I hope the Amendment will be withdrawn. Of course, any point might be discussed on the Third Reading or on the Report.

(8.14.) MR. STOREY: The right hon. Gentleman should be the last to complain, because when we were sitting here ready to take part in the Second Reading he got up and moved the Closure, and after a discussion of only 25 minutes the Bill was passed without the desired information having been obtained. The right hon. Gentleman suggests that we should go on with the clauses, and he says we can discuss the principle of the Bill on the Third Reading. He knows very well what little hope there is of getting the principle of a Bill discussed on the Third

Reading. Our only hope of getting to know what the scope of the Bill is, is in resisting Progress at the present time in a Parliamentary way.

\*(8.17.) MR. MORTON (Peterborough): I rise to express a hope that the right hon. Gentleman the Secretary to the Treasury (Sir J. Gorst) will answer the questions which have been put to him as to the scope of this Bill. If he will do so, I would recommend my hon. Friend to withdraw his Amendment, and allow the Committee to discuss the clauses. We had no information on Monday night that the Bill affected only the lower class of Civil Servants in the Constabulary and Prison Departments. If that is the fact, will the right hon. Gentleman consent to words being inserted in the Bill limiting its provisions to the class of officials he has mentioned, and will he consent to report Progress so that he may give us information as to the meaning of the Bill and the amount of money involved? If he will do that, I am sure it will get over the difficulty. Although I have no desire to obstruct the Bill, I say frankly that I should not mind if it were stopped altogether, because it is a bad Bill, and opposed to the recommendations of the Royal Commission.

(8.20.) MR. PHILIPPS (Lanark, Mid): I do not want to delay the progress of this Bill. On the other hand, if the Bill is what the right hon. Gentleman says he thinks it is, I shall be delighted to withdraw all opposition to it. We want to obtain from the right hon. Gentleman a positive statement as to the class of Civil Servants who would be benefited. That is all we want, and if we get that, I hope to be able to vote for the Bill. The right hon. Gentleman says he cannot be expected to get up in his place and give, in an extempore way, a list of the persons who will benefit. We do not ask that he should, but he can give us the information to-morrow. Before letting this Bill go through unopposed, we want to know positively what class of public persons are going to benefit by it. If it is only to benefit humble persons who have served their country well, I should like to vote for it. The information which has been asked for might be given to-morrow, and I think if that



were done it would facilitate the progress of this Bill. There is no desire on the part of some of us to oppose the Bill if we were certain that there is no more harm in it than the right hon. Gentleman would lead us to believe.

(8.25.) MR. SAMUEL EVANS (Glamorgan, Mid): I think the request made to the right hon. Gentleman to report Progress is a most reasonable one, although I do not agree with all the reasons alleged for doing so. For instance, I do not think we should report Progress simply because the right hon. Gentleman the Member for Wolverhampton (Mr. Fowler) is not here. But, Mr. Courtney, there is one reason which is unanswerable, and that is that the right hon. Gentleman the Minister in charge of this Bill either cannot, or will not, explain its details. It seems to me that the question of my hon. Friend as to whether certain persons are, or are not, intended to be benefited by the Bill is a reasonable one, but the right hon. Gentleman refrains from answering it. I do not wish to speak disrespectfully of the right hon. Gentleman, but it seems to me that he has displayed considerable ignorance as to the provisions of the Bill. On the Second Reading he said categorically it would not affect the revenues of India. But I would point out to the right hon. Gentleman that there is a sub-section authorising a charge on the Indian Revenues.

\*SIR J. GORST: This Bill does not touch a single rupee of the revenues of India unless the Secretary of State so determines.

MR. SAMUEL EVANS: But it does if the Secretary of State decides that it shall. However, that is not the question. I think I have shown that the right hon. Gentleman has not exhibited to the Committee such an acquaintance with the details of the Bill as we ought to expect. I have listened to the discussion throughout, and I must say I have not heard any satisfactory statement from him as to whom this Bill is to apply to. I, therefore, think we should support the Motion to report Progress, so as to enable the right hon. Gentleman to furnish the information asked for.

(9.0.) Notice taken, that 40 Members were not present; House counted, and 40 Members being found present,

DR. TANNER (Cork Co., Mid): I had the opportunity of hearing the remarks of the Secretary to the Treasury; and considering the strong action taken in connection with the Second Reading of the Bill, and the unsatisfactory answers the right hon. Gentleman has given on the subject during the Session, it is strange that he should have offered such an explanation of the Bill as he has given to-night. We want to get something explicit from the responsible Ministers of the Crown with regard to the Bill. The right hon. Gentleman said that this Bill may or may not affect the taxpayer. Our duty is to protect the taxpayer, and we ought to have some idea of how much will be spent under the Bill. Then the right hon. Gentleman said it would benefit the constabulary and prison servants. I know how it will affect them. There are many men of the Royal Irish Constabulary who made themselves obnoxious in Ireland—at Mitchelstown—and who were removed and put as warders in prisons in order that they may get an increased payment. I ask the First Lord of the Treasury whether this Bill will apply to such men as Cavanagh and Captain Segrave, and men of that ilk, or will it simply meet such cases as those mentioned by the Secretary to the Treasury, where a man has been removed from a post in one prison to a post in another? If it is intended to benefit the poor officials in gaols and the constabulary only, I withdraw all opposition; but if it will give certain Resident Magistrates in Ireland power to count service in India as well as in Ireland, or if—on the coming of Home Rule—they are removed to India, to count also the service in Ireland, it would be ridiculous. It will facilitate the passage of the Bill if the First Lord of the Treasury will say plainly and straightforwardly whether or not the Bill is intended only to benefit the class of persons mentioned by the Secretary to the Treasury? If it is to confer large salaries on men who have done very little to deserve them, I shall take every step I can to arrive at the real

truth; and I think it will save the time of the House, and you trouble, Mr. Courtney, if the right hon. Gentleman will tell us at once if these gentlemen are to be superannuated.

\*(9.13.) MR. SEYMOUR KEAY: I will not again allude to the fact that the Secretary to the Treasury succeeded in curtailing the Second Reading stage of this Bill to a great extent by the Closure; but I desire to express the opinion that, though I think he would be the last person in any way to endeavour to deceive the Committee, he approached this Bill not only on the Second Reading stage, but to-day, in a perfunctory manner, and that, from many things which dropped from the right hon. Gentleman, he did not grasp the magnitude of the task he has taken in hand. He plainly told this Committee to-night that he did not know the financial effect of this Bill, with regard to the amounts, less or more, which would be demanded either from the taxpayers of this country, or the over-taxed people of India, in support of the operations of the Bill. Now, it appears to me that there is nothing more absolutely important than that this House should, especially in Committee on Bills which involve the passing of large sums of money, convince Her Majesty's Government that they are determined that the Government shall at all events take the trouble to make a fair estimate of some sort as to the financial outcome of a Bill before they bring it to the Committee stage.

THE CHAIRMAN: The Bill is now in the Committee stage, and the hon. Member is making observations on the Second Reading.

\*MR. SEYMOUR KEAY: I am only endeavouring to reply to what fell from the right hon. Gentleman the Secretary to the Treasury. He stated from that Bench that he did not know; that he only believed and thought—

THE CHAIRMAN: That was an irregular discussion which was permitted as a matter of favour. It was quite out of Order, and to continue that discussion on a Motion to report Progress would be out of order.

\*MR. SEYMOUR KEAY: I will not follow the right hon. Gentleman in his irregular discussion.

*Dr. Tanner*

THE CHAIRMAN: Order, order!

\*MR. SEYMOUR KEAY: But I will say this—the whole method in which he has approached this Bill shows that he has not studied it or even read it. He told us—I suppose you will not allow me to dilate upon this point, but you will allow me to mention it—he told us to-day that in his opinion it would not affect the Revenue of India at all. I shall be prepared to prove upon Amendments which I have down on the Paper that the Revenue of India will positively and must necessarily be affected thereby. I do not believe that Her Majesty's Government have taken the trouble to look into the magnitude of the amounts at stake in this matter; but I may say that about five and a half millions of money per year are affected, or may be affected, by the operations of this Bill; and I want to ask the Government if they themselves can allege that they have already either taken the House sufficiently into their confidence upon the Second Reading, or that they have taken the Committee sufficiently into their confidence on the present occasion to enable the Motion for reporting Progress to be withdrawn?

(9.15.) MR. H. H. FOWLER (Wolverhampton, E.): I think an apology is due from me to the Secretary to the Treasury that I was not here earlier. But I did not think that the Bill would have been brought on at this time. I was not aware that such rapid progress had been made with the Scotch Bill. With reference to this Bill, I am not going to discuss it as if it were in the Second Reading stage, but I very much regret that I had not an opportunity of discussing it on the Second Reading stage. I may state in one sentence the attitude which I feel towards this Bill. I was associated with the Royal Commission on the Civil Service for many years, and we went very fully into this question of superannuations, and we presented a Report relating to the subject quite as thick as the book in my hand. For several years I have been pressing the Government to take some action upon our recommendations. I do not attribute any blame to the Government. Perhaps the course they have taken may be owing to the exigencies of business,

but they have brought in no Bill dealing with the whole scheme dealt with by the Royal Commission. My objection to this Bill is that it is merely a sectional Bill dealing with a very grave question. I have not heard what the Secretary to the Treasury said, but he certainly met me very frankly and fairly on more than one point which I shall mention when the time comes. I do not know what specific reasons he has for bringing on this Bill. They may be very good reasons; I do not say they are not, because I know nothing at all about them. But my objection to this Bill is that it is dealing in a very minute manner with a very great question. It is too late now for me to raise that question. The Second Reading stage was the proper time for raising that question. I was prepared to call attention to the enormous amount of money—two millions per annum—now paid for Civil Service pensions, in addition to what we are paying for the Army and Navy. However, that is no reason why we should not get into Committee on the Bill, and let the subject proceed; and I would ask my hon. Friend to withdraw his Motion.

(9.18.) MR. KNOX: I can only express my regret that I cannot accept the suggestion of the right hon. Gentleman and take the course which he has recommended. If any of our Amendments had been accepted by the right hon. Gentleman who has charge of the Bill, if he had given us any *quid pro quo*, we might, perhaps, be in a more accommodating frame of mind. But not only has he not accepted any of our Amendments, but he has carefully abstained from explaining the nature of the provisions of this Bill. The right hon. Gentleman said he did not really know what was the object of bringing in this sectional Bill. I still suspect that the real object of this Bill is to give some extra advantage to certain gentlemen now serving as Resident Magistrates in Ireland. The Government have carefully abstained from giving a plain answer to a straight question—whether or not this Bill affects certain gentlemen now serving in Ireland as Resident Magistrates? I hope the Resident Magistrates

and Divisional Commissioners will get no assistance from this House, and that we shall proceed no further with this Bill, about which we still know nothing. It may be that this is an innocent Bill; but if it is an innocent Bill it ought to be possible for the right hon. Gentleman to have either presented a Paper showing in black and white how many Civil servants would be affected by it, or to have given a definite answer upon the subject. The only explanation which we have of the proposals of this Bill is the statement of the right hon. Gentleman that so far as he knows there will be no charge thrown on the revenue by this Bill. Now if that is the case, what is the use of the Bill at all? In pressing this Motion I wish to make it clear that I do not act from any wish to obstruct legitimate business; and it would be very much better that we should proceed with the Bills that relate to the poor law schools in Ireland, or some other simple Bills which we can understand, and leave this Bill which nobody seems to understand for investigation on some subsequent occasion.

(9.21.) MR. STOREY: From what I had been told by the Secretary to the Treasury I was under the impression that this Bill was an innocent Bill, and that it did not involve any additional large amount of money to be charged against the English Exchequer. Since I went out of this room I have got information which makes me gravely doubt whether or not I was not too simple in accepting that view of the situation, and whether, on the contrary, this is not a Bill which may cause a very serious charge upon the Exchequer. I must say I freely endorse the opinions which have been expressed by the right hon. Gentleman on our Front Bench, who has been at the Treasury too, and I hope he will support me when I say that in his time no Bill was carried through which involved an additional charge on the Treasury without the Minister furnishing to the House something like an authoritative statement as to what the amount of that charge would be. I now ask the Chancellor of the Exchequer, Is there going to be an extra charge by this Bill, and, if so, what is the amount of

that charge; and is it not his bounden duty to communicate that information to the House before we proceed further with this Bill? I will give an illustration. By the rule contemplated by this Bill an Indian Uncovenanted Civil servant, on leaving India and taking up an English appointment afterwards, say at fifty years of age at a salary of £1,500 per annum, and holding that appointment for five years, would he or would he not be entitled to count for pension, not simply on the Indian scale, but on the English scale, because the Bill says in the second sub-section that he shall be entitled to his pension as if his whole service had been in the public office from which he ultimately retires? On the Indian Service scale he would be entitled to a pension of £475 a year; but on the English scale he would be entitled to £1,000 a year. I want to know from the Government whether that is the case or not; because if it is, it seems to me that this is a distinct attempt, without giving the House full information, very largely to increase the already bloated amount we expend on pensions to Civil Servants. If that be correct—and I must say I have reason to know that it is correct—I would submit that this multiplied by the number of persons involved constitutes a great additional charge upon the Exchequer here and in India. India, however, is in this condition that she cannot be charged, and, therefore, I am mainly concerned with this country. I venture to impress upon the Chancellor of the Exchequer this fact, that we have a right to know what this additional charge will probably be. Our fear is that under cover of this new proposal there is going to be a great extension of the system of pensions; and as guardians of the public purse we have a right to ask the Chancellor of the Exchequer has he gone into the matter? Is the amount large or small? If it is small, let him tell us the amount; and if it is small we shall be delivered from further discussion.

(9.29.) MR. DALZIEL (Kirkcaldy, &c.): There is no one who has listened to this discussion but would arrive at the conclusion that a case has been

*Mr. Storey*

irresistibly made out for the Motion which was originally made in order that the House might be given further information regarding the real meaning of this Bill. The question was whether or not this Bill would apply to the highly-salaried servants of India and in our Colonies on returning to this country and continuing in the Public Service. The Financial Secretary to the Treasury made the extraordinary admission that he could not give us any information on that point, and said that if we wanted any particulars, we ought to address a question to him later on. I do not think that that is exactly the position which anyone in charge of a Bill of such great importance should take up. Either the right hon. Gentleman understands the Bill or he does not. If he does, he ought to answer the question. If the Bill does not apply to highly-salaried officials, no further opposition will be made to the Bill, but it will be allowed to pass at once. I, therefore, hope we shall now have a declaration on behalf of the Government as to what is the real meaning of the Bill.

\*(9.32.) MR. MORTON (Peterborough): I hope that when the Financial Secretary comes back from his dinner he will be able to give us some information on the two questions which I put to him—namely, whether, in the first place, he would not consent to report Progress, so that he could give us information as to the meaning of the Bill and the amount of money involved; and, in the second place, whether, if, as he stated, the Bill only applies to constabulary and prison officials, he would consent to words being introduced limiting the operation of the Bill to those two classes? I shall be glad if the right hon. Gentleman will condescend to answer these questions. If the Bill applies only to servants with small salaries, I shall willingly see it pass, because, until we do away with pensions altogether, the working men and small-salaried officials should be pensioned as well as the more highly paid officials.

\*SIR J. GORST: I am very reluctant to make another speech on this ques-



tion, especially as it seems that all I say is twisted by hon. Members below the Gangway opposite. ("No!") I never said, as the hon. Member for Peterborough stated, that the Bill would only apply to prison officials and constabulary officers.

\*MR. MORTON: You mentioned only their cases.

\*(9.33.) SIR J. GORST: I am very sorry that I failed to make myself intelligible to the hon. Member. What I did say was that the officers who lost their rights of pension by transference from one office to another were principally constabulary and prison officers; that they, therefore, were the officers who will benefit chiefly—I guarded myself by saying "chiefly"—from the provisions of the Bill. With regard to the question which the hon. Member has asked as to the number of persons who will be benefited by this Bill, it would not be possible to state categorically the number, for that remains to futurity. In fact, next year officers may be transferred from the constabulary to the prison service, and from the prison service to some other service. I really do not think I deserve the censure so freely passed upon me by hon. Members opposite, that I have been concealing some great conspiracy under this very simple Bill.

MR. STOREY: No; you said you did not know.

\*SIR J. GORST: What I did say was that the Bill had been brought in in consequence of the practical difficulties experienced in awarding pensions, and I gave the Committee a concrete instance of those difficulties. The number of persons will certainly be small. The charge upon the Public Revenue, if there be any charge, will certainly be insignificant.

MR. STOREY: Have you calculated it?

\*SIR J. GORST: No; because a calculation is impossible.

MR. STOREY: Then, an estimate?

\*SIR J. GORST: It is impossible to make either a calculation or an estimate. Hon. Members may take my declaration as an officer of the Government that the charge will be infinitesimal, that it will not be a great one, and that it will not figure in the Chancellor

of the Exchequer's Budget, or as an important item in the Expenditure of this or any other year. I am very sorry for the way in which this Bill has been received, because it affects the interests of many of the poorer servants of the Crown; and the idea of hon. Members below the Gangway opposite that the Bill is proposed in the interest of highly-paid and highly-salaried public servants is a pure imagination, and has no foundation in reality. If the Committee would consent to go on with the Bill and consider the clauses, we should, I believe, soon arrive at a satisfactory conclusion.

DR. TANNER: Will it affect the Irish Resident Magistrates?

\*SIR J. GORST: Certainly.

DR. TANNER: Ah! That is it.

(9.37.) MR. CONYBEARE (Cornwall, Camborne): I have not intervened in this Debate before, and I should be very sorry to impute to the right hon. Gentleman any underhand motives. I think he has given us a clear statement, and I am perfectly willing myself to accept his declaration as an officer of the Government. But in matters of this kind I think we are entitled—I cannot say to doubt the word of a Minister, but, having regard to the natural jealousy with which Members of the House of Commons are bound to look upon suggested legislation respecting pensions and superannuations, to ask that everything connected with the proposal shall be placed in the clearest form before the House and the country. We should have not merely the declaration of a Minister of the Crown on that side of the House; but we should have embodied in the Bill all the material necessary for enabling us to form our own judgment as to whether the proposed legislation is useful or not. I want to put this point before the right hon. Gentleman, and I think he will see that it is a reasonable suggestion. He will observe that the Bill in its title, and also in other parts, refers to a series of Acts extending from the years 1834 to 1887. I have taken the trouble to count up in the archives of the Legislature the number of those Acts, and I find there are no less than



21 Superannuation Acts which have been passed during the years I have named. Those Acts apply to all classes of military and civil servants employed in the service of this country. The right hon. Gentleman has just said, in answer to a friend of mine on this side of the House, that there are two classes, principally, of servants of the country who will be affected by this Bill—prison officials and constabulary officers—but he did not, as I understood him, exclude in his remarks the possibility of this Bill, when it passes into law, applying also to other classes and categories of public servants. If I have misunderstood the right hon. Gentleman, I desire an explicit statement from him as to whether we are to understand that he does exclude from the operation of this Bill all other classes except those I have named.

SIR J. GORST: No.

MR. CONYBEARE: The right hon. Gentleman says "No." We have a right to look at it from this point of view—that it does affect the different classes of public servants who are dealt with by these 21 Acts passed between 1834 and 1887. Everybody knows perfectly well the difficulty of wading through a long series of Acts of Parliament, piecing them together, seeing how they work one with another, and what the effect of any proposed legislation is as regards all these previous Acts. I ask the right hon. Gentleman, therefore, as he has not given us any Memorandum to this Bill explicitly stating what the effect of this proposal will be, whether he would not consent to give us a Schedule enumerating all these different Acts, and stating in what particular this new proposal will affect the different classes dealt with by those Acts, so that we may have clearly before us the exact relations of this new proposal to all these previous Acts? I understand we are now discussing a Motion that you do report Progress; and I think the suggestion I have made, and the argument I have used, is weighty in this behalf, as showing the desirability of reporting Progress now, in order that the right hon. Gentleman, before we resume the Debate, may give us the

*Mr. Conybeare*

further information which will enable us to deal fairly and justly with this Bill. I am quite sure that there is no desire on the part of Members on this side of the House to deal unfairly or unjustly with this proposal, more especially as the right hon. Gentleman tells us it is mainly intended to affect and improve the position of a class of public servants who, I am perfectly certain and know, are highly deserving of our most favourable consideration. But we have a right to know what other classes are likely to be benefited besides those mentioned by the right hon. Gentleman; and considering the mass of material contained in those 21 Acts of Parliament, we ought to know where we are and what will be the effect of this proposal as regards the provisions of all those other Acts. I appeal to the right hon. Gentleman and to the Leader of the House whether it is not perfectly reasonable to accept now the Motion to report Progress, in order that we may resume our consideration of the Bill with the additional information which I am certain we are entitled to?

(9.44.) SIR W. PLOWDEN (Wolverhampton, W.): I would press upon the Government the real necessity of acceding to the wishes of my hon. Friends who are pressing them in this manner. The fact is we have already devoted two hours to the discussion of the Motion for reporting Progress, and we are not making any advance in the Business of the House, and I do not think we shall make any advance. I think the claim made upon the Government is very reasonable. I voted for the Closure and for the Second Reading of the Bill, and I have not the least desire to stand in its way; but it is quite clear there is a doubt on this side of the House—which may be founded rightly or wrongly—as to the scope of the measure, and we do deserve from the Government Benches a full account of that scope. If in another few days the responsible Minister will give us a Memorandum or make a statement which would show exactly what are the real facts so far as this Bill is concerned—how far it will go—then all opposition will cease.

**\* (9.46.) SIR J. GORST :** May I say one word more? My only objection to report Progress now is that if Progress were reported further procedure with this Bill would be endangered. I am most anxious, for the sake of the classes whom I have indicated, that this Bill should become law. Hon. Members accept the principle of the Bill. It is contained in the first clause, and is simply that a man who has served the State in one particular Department shall not forfeit all right to a pension which may have accrued to him by his service in that Department by reason of his being transferred in the interest of the public from one Department to another. Do hon. Members below the Gangway who are jealous of the rights of the taxpayers of this country say that, if a public servant is transferred from one Department to another, he ought to forfeit his pension by reason of that transfer? That principle will chiefly be operative in the case of prison officials. I will not commit myself to saying that it may not be operative in the case of other public servants; but, if so, it is right that it should be.

**MR. STOREY :** Will it double their superannuation?

**\* SIR J. GORST :** It will not double the superannuation of anybody.

**MR. STOREY :** Will it increase their superannuation?

**\* SIR J. GORST :** It will increase it, for, at the present moment, they are not entitled to any superannuation at all. I understand that exception is taken to the Bill on account of the clause which says that their superannuation shall be determined by the last office from which they retire. All I can say is, that that is the principle of superannuation now, and is not a novel principle inserted in this Bill. When an officer who has been transferred from Department to Department and from post to post finally retires from the Public Service, his superannuation is calculated upon the last office which he has held. That is the present principle, and I do not think hon. Gentlemen have a right to ask me in this Bill to introduce a novel principle in the superannuation of public servants. If it is to be introduced, it should be done

in a general Act, amending the plan of superannuation in this country. It ought not to be introduced as regards only the officers affected by this Bill. Why are they to be made the subjects of a novel principle which is not to be applied to the others? All that this Bill lays down is that persons transferred from certain excepted Departments to other Departments should not be in a worse position than other servants of the State. I do not see any reason why such an exception should exist.

**(9.52.) MR. H. H. FOWLER (Wolverhampton, E.) :** It seems to me that the latter part of the right hon. Gentleman's speech was absolutely contrary to the first part. The rule upon which pensions are granted is that if a man has given his whole time to the service of the State it would reckon for his pension, so that when a man is transferred from the Customs or the Excise to another Department there is no grievance. But in the latter part of his speech the right hon. Gentleman asked whether it was fair that men who had served in certain excepted portions of the Service should lose their time of service when transferred. I quite agree that there is a hardship in the case of prison servants who have not, strictly speaking, been in the Public Service. But that is not the only case which this Bill meets. It meets that case and a great many more. The right hon. Gentleman said that Resident Magistrates would come under the rule. For my own part, I deny that there is any class of public servants in regard to which the most improper rule as to professional qualifications has been more lavishly put in force than in the case of these gentlemen. I understood from the Chancellor of the Exchequer that the present Government have abolished the plan of a qualifying number of years. If this Bill is intended to cover this class, I think that the hon. Member for Sunderland is quite right in his action. If it is confined to the constabulary and prison officials, I have nothing to say, except to ask that the Rules should be laid on the Table of the House, and that the House should have a veto. But if this Bill is to be

a reconstruction of the Pension Rules, then I contend that the right hon. Gentleman has no right to deal with such a question piecemeal. I will ask the Government, considering the feeling of the Committee and their desire for further knowledge, to re-consider this Bill and re-introduce it in a shape which would allow hon. Members to give it every assistance, which would be done if it dealt with prison and constabulary officials and minor public servants who have been at a disadvantage without dealing with the whole Indian Service.

(9.56.) MR. CRAIG (Newcastle-upon-Tyne): We have not had one word of reply from the Government in regard to the Indian question. The practical effect of this Bill will be that a man who has left one branch of the Service and is entitled to a pension of £475 would, by his subsequent service, find himself entitled to a pension of £1,000, and that chiefly in respect of his earlier service; and this is an illustration with which the right hon. Gentleman has not dealt. The right hon. Gentleman cannot expect us to answer conundrums, especially legal conundrums. I am not putting this case as a conundrum—it is a concrete case. A man who has been in the Indian Service at a high salary entitling him to a low pension will, under this Bill, practically have his pension doubled.

\*SIR J. GORST: The case which has been put could not happen under this Bill. It has been said that a retired Indian Civil servant would have an increase made in the pension payable to him out of the Revenues of India.

MR. CRAIG: I did not say that.

\*SIR J. GORST: The Indian Civil servant would not be entitled to have his Indian pension increased out of the Revenues of either India or England. There is a proviso that the Secretary of State in Council shall determine the amount to be paid from the Revenues of India, and we have no power to increase a pension regulated by the India Acts.

(10.3.) MR. ROBY (Lancashire, S.E., Eccles): I cannot quite reconcile the statements just made by the right hon. Gentleman with the terms of the

*Mr. H. H. Fowler*

Bill, which are that the superannuation is to be the same as if the whole service had been in the office last held. Consequently, if the Indian Service entitle a man to a pension of £375 and the Home Service scale to £1,000 for the whole period of service, the difference would have been made up out of the English Exchequer. We do not want to know more than the class for which this Bill is required. If the right hon. Gentleman can point out to us that this class, in comparison with the whole, is insignificant, I think the opposition will soon cease, and that we shall join with him in removing any chance of injustice.

MR. SAMUEL EVANS: I think the House will see that the right hon. Gentleman has, by his explanation of the purposes of this Bill, added another reason why we should report Progress. It is absolutely clear that under subsection 1 of Section 1 the pension to which a man is to be entitled after ten years' service is to be a calculation upon the pension which he would be entitled to if the whole of his service had been rendered in the office he held at the time of receiving the pension. The right hon. Gentleman says "No," but if the English language means what we understand it to mean, he really has not mastered the 1st Sub-section of the Bill. Moreover, if that is so, we are going directly in the teeth of the Commissioners. They reported that in cases of this kind the pension should be granted upon the average salary which had been received by the public servant during the last ten years of his service. I really think abundant reasons have been given why you should leave the Chair, and why the Government should be allowed further time in order to master the details of the Bill.

MR. ARTHUR O'CONNOR (Donegal, E.): The Secretary to the Treasury demurs to the proposal to report Progress as a new principle. It seems to me we are, however, proceeding upon a very new principle when in the Committee stage of a Bill, which was passed through its Second Reading stage by means of the Closure after half-an-hour's Debate, we find that the right hon. Gentleman in charge of the Bill is obviously unacquainted with its

provisions, its scope, and its effect. He told the Committee frankly that he was unable to say what would be the additional charge upon the taxpayer. I should have thought that the fact that the Bill will throw an additional tax on the ratepayer was reason for not starting the Bill in the Committee stage of the House. I desire to point out that in the title of this Bill we are informed that certain Departments are to be dealt with which are not included in the Superannuation Act. There are several of such Departments in this country and abroad, notably in India. The servants in these Departments are receiving high salaries, purposely so fixed in order to cover superannuation. If they are to be included it means that you embrace those who have already been receiving the equivalent of superannuation. The right hon. Gentleman has not dealt with that point. In distinction to the title of the Bill, the last words of 2nd section of the 1st clause says—

“The officer in question is to be treated as if the whole of his service had been in the public office from which he ultimately retires.”

SIR J. GORST: That is not so. The expression “public office” means an office the service of which qualifies for grant of superannuation allowance.

MR. ARTHUR O’CONNOR: The right hon. Gentleman has told us that the Resident Magistrates in Ireland come in. At every turn we are confronted with new difficulties and new contradictions. All we ask is that the the Government should be allowed time to inform themselves as to the effect of the provisions of their own Bill.

MR. PHILIPPS: The Committee has to-night constituted itself into a sort of mutual information bureau, but instead of receiving, we have been giving more than has been accorded us. The information we have received from the Government is that the Resident Magistrates in Ireland come under the scope of this Bill, and apparently that is the only fact the right hon. Gentleman has not himself contradicted later. In return we have given him three pieces of information. We have told him that by his Bill the Army and Navy were excluded. He denied it,

and we proved it to him by his own Bill. Then we told him that certain people who had served in India were included. He denied it, and we proved it. Lastly, we told him, and proved the statement by the Bill, that the pensions under this Bill were to be based upon the last office that the office-holder enjoyed. In return he has only given us the fact that the Irish Resident Magistrates are included. Thus the mutual instruction bureau has been conducted under unequal conditions. I should like the Chancellor of the Exchequer to tell us what additional charge this Bill would throw upon the taxpayer, and I should also like some gentleman connected with the Government of India to tell us what Indian officers will be benefited by this Bill. For my part, I do not believe that any Government, much less the present one, would spend an evening in an effort to benefit possibly half-a-dozen Custom or Excise officers. Has the Government any friends or relatives to benefit by this Bill? Let the right hon. Gentleman out with it and make a clean breast of the matter; let the Government delay the Bill and give the Committee a schedule of the persons whom the Bill would benefit. Present opposition will only be met by such a course. If that is not done, most people will believe the Bill is a job, and is not intended to benefit the Excise officers of whom the right hon. Gentleman has spoken of so pathetically and innocently.

\*SIR J. GORST: Without one tittle of evidence the hon. Member for Mid Lanark has accused Her Majesty’s Government of dishonesty or some ulterior motive in bringing forward this Bill.

MR. PHILIPPS: Not dishonesty.

\*SIR J. GORST: The hon. Member says, “Out with it.” I have already stated more than once an instance of the way in which the Bill will operate. A warder who started in Canterbury Prison under the Prison Authority of the County of Kent served in that capacity from March, 1875, to April, 1878, having his salary paid during that time out of the Kent County rates. He was then transferred as a warder to Wandsworth Prison, where



he served from April, 1878, to February, 1886, his salary being then paid out of a Parliamentary grant. From Wandsworth Prison he was transferred to the Isle of Man, where he served from February, 1886, to March, 1891, his salary during that time being paid from the revenues of the Isle of Man. That man is not a member of the Government, nor a rich and wealthy scion of the aristocracy, but he has served the country well from 1875 to 1891. He is now in ill-health, and cannot continue his employment, and I say that that man is entitled to a pension or some retiring allowance. According to the existing law, through some mistake or misapprehension apparently, on the part of the Legislature, the man, by reason of the peculiar circumstances of his case, was not entitled to a sixpence on retiring from work, and the Treasury are unable to award him anything whatever. But I bring a Bill before the House of Commons which will enable the Treasury to award that man a pension; and how is it received by hon. Members who arrogate to themselves the title of Liberals? For nearly three hours it has been opposed by all sorts of objections. They have endeavoured to obstruct it, and so prevent this poor man from obtaining the pension he so justly deserves. Mr. Courtney, this is the man for whom I want a pension.

MR. CALDWELL (Glasgow, St. Rollox): There is no dispute on this side of the House in regard to the merits of the case which the right hon. Gentleman has brought before the Committee, but it is ridiculous to cite that case as the only one which the Bill is intended to benefit. What this side of the House wishes to know is: What are the other cases? I believe this is a subterfuge, under cover of which it is intended that others than the prison officials mentioned should derive benefit from the Bill. If the Government will restrict the Bill to that class of cases of which the right hon. Gentleman has given an example, it will be passed at once. But if the Bill is meant to apply to other cases, tell us what those other cases are, and, if you do not know, report

*Sir J. Gorst*

Progress and ascertain. Now, I will give hon. Members an instance of the extent of the ignorance—or, perhaps, an attempt to mislead—of the right hon. Gentleman. It was pointed out on this side of the House that the retiring allowance would be in accordance with the salary received by a person at the time of his retirement. The Secretary to the Treasury said, "Nothing of the kind." But the Bill says the retiring allowance is to be according to the salary received in the office from which a man retires. I think we are entitled to know whether the right hon. Gentleman's view of the words relating to this question is correct. The right hon. Gentleman obviously does not understand the Bill of which he has charge, and I think we should report Progress in order that the Secretary to the Treasury, or some other Member of the Government should inform himself of the scope of the Bill and tell us plainly what it is.

MR. SEXTON (Belfast, W.): Perhaps the colleagues of the right hon. Gentleman, especially the First Lord, who has lately become sensible of the responsibilities of office, will be of opinion that the speech of the right hon. Gentleman (Sir J. Gorst) is one that is not likely to tend to the despatch of business in this House, or to smooth the passage of this Bill. The right hon. Gentleman has lost the imperturbability, the logical powers, which distinguished him at the India Office, and won for him the admiration of everybody except his own superiors. The animated speech of the right hon. Gentleman exhibited the maximum of bad temper and then sank to the low water mark of argumentative power. An attempt has been made to justify this Bill by reference to one pathetic case. But, Sir, what relation is there between the case of this humble prison warder and a Bill which traverses the whole round of the British Empire? I say it is the duty of Government in submitting Bills of this description which involve fresh burdens on the Public Purse, to submit them in a plain form, so that we who

have to vote away the money may know to what liability we consent. But this Bill is not frank and straightforward. It is a Bill which proposes to filch money from the Public Purse by stealth. I have no objection to a Bill in which the case of the Kent warder or the case of any other deserving public servant is dealt with, if its objects are frankly and plainly stated, but I do object to a Bill which only exposes to this House a small part of its meaning, and which may be used by-and-by to give exaggerated pensions to persons whose claims this House would not be willing to recognise. Why, Mr. Courtney, the mere fact which has been extracted, that this Bill applies to Resident Magistrates in Ireland, stamps it at once as a Bill of extremely contentious character. We are on the eve of an appeal to the people on the subject of Government in Ireland. We hope soon to decrease the number of these Resident Magistrates, and reduce their salaries, and I ask, Is it tolerable that we should pass a Bill which will entitle the Government to retire these persons upon excessive and inequitable pensions, just at a moment when we might be able to dispose of them on terms more equitable to the people? Under this Bill Colonel Caddell could be dealt with. That person was a Resident Magistrate who distinguished himself by trampling on public rights and by reckless violence in Ireland. For that service against the people he was promoted to an office giving him £800 a year. One effect of this Bill, if passed, would be that the pension of that gentleman, instead of being calculated on his salary as Resident Magistrate, would be calculated on the £800 a year. Why, Sir, I stigmatise such a transaction as that as a fraud. For my own part, I am disposed to regard with the most jealous scrutiny the proposals of the right hon. Gentleman. He is liberal enough with the Consolidated Fund or any other fund for Resident Magistrates and persons of that class.

THE CHAIRMAN: Order, order! The hon. Member is now discussing the principle of the Bill.

MR. SEXTON: Well, Sir, I gladly leave it. It is a principle that hardly bears discussion. I quite agree with you that the less we say about it the better. But I would suggest, before we proceed further with the Bill, that the right hon. Gentleman, with a view of informing himself, as well as informing the House, as to the scope of the Bill, should see that a Memorandum is affixed to the Bill stating to what class of public officials it would refer, what increase it would make in their pensions, and what burden would be involved on the Public Purse.

\*(10.36.) MR. WEBB (Waterford, W.): If this Bill referred only to cases of gentlemen who in the service of the country have gradually risen from one branch to another, whether in the Isle of Man, in England, or Ireland, we should be glad to facilitate its passing. But we find that the Bill does not only deal with cases of that kind, but under its provisions a man may be moved about from one branch to another, merely in order to increase his pension.

THE CHAIRMAN: Order, order! That is not pertinent to the Question before the House, which is to report Progress.

\*MR. WEBB: I bow, Sir, to your decision, but I think enough has been revealed in the course of this discussion to show, not only that the country should have a little time to discuss this Bill, but also that the Government should have a little time to study it in order that they may properly understand it. I think the Debate ought to be put off for a few days, so that the country, through the newspapers, may be informed of the character of the measure.

(10.37.) MR. H. H. FOWLER: I will appeal to the First Lord of the Treasury whether, in the interests of Public Business, he will not now accede to this Motion? It must be apparent to him that it would be impossible to get through this Bill to-night. There is a very wide field now open, which the House will, without doubt, explore, and I think it would very much promote both the carrying on of the business of the House, and the ultimate

passing of this Bill, if the First Lord of the Treasury would now allow this Motion to pass, and undertake that a Memorandum shall be placed on the Paper stating what the effect of this Bill is really intended to be. And I repeat the offer that I made an hour and a half ago, that if the Bill is confined to those persons whom the Secretary to the Treasury has described, we will offer every facility for the passing of the Bill. But if, on the other hand, it is found to re-open the whole question of superannuation, or in any way to traverse the recommendations of the Committee on this subject, we shall be obliged to offer to it a most uncompromising opposition.

(10.39.) MR. A. J. BALFOUR: With respect to the appeal made to me by the right hon. Gentleman (Mr. H. H. Fowler), I do not pretend to believe that the present humour of the House is such as to encourage the hope of speedy progress with legislation; but I do not think that in itself is a sufficient reason for adjourning the discussion, which I may mention has now been going on for nearly three hours. The right hon. Gentleman says, and says I think truly, that if this Bill is to traverse the recommendations of the Commission of which he was so important a Member, we ought not to press it on the House. But it is a Bill, as the Secretary to the Treasury (Sir J. Gorst) has more than once told the House, small in its scope, small in the number of persons it directly affects, and small in the amount of financial burden which it can by any possibility throw upon the Public Purse. What it really does is to deal with two or three exceptional classes of pensions which have not been brought as yet into line with the general pension scheme. Under existing arrangements a public officer who might be eminently suited for some post in another branch of the Civil Service in which pensions were given under a different scheme is put in this dilemma—either he must refuse the new post, because he would lose pension thereby, or he must take the new post at a great sacrifice of pension. That limits the choice of the Government, which is a misfortune, and it

*Mr. H. H. Fowler*

inflicts hardship on individuals, which is also a misfortune. That is a state of things which we ask the House to remedy. The Member for Sunderland (Mr. Storey) brought before the Committee the case of some imaginary Civil servant in India who is to be brought home after serving a long time in India and placed in a position of considerable emolument in the English Civil Service. Under certain circumstances, that man might receive a greater pension than he would probably be considered to be entitled to; but, of course, he would not receive a pension in the new place in respect of the service of his old place if his old place had no pension. But we can easily set to work to imagine cases in which people are suddenly advanced from low to very high salaries, and in which the amount of their pension seems excessive in comparison with the general average of their pay over the whole period of their service. I quite grant that that is the case, but that is not a peculiarity of the Bill. It is, as the right hon. Gentleman knows, an established principle of the British Civil Service, and one which, on the whole, I do not think it would be wise for us to alter. It may occasionally produce abnormal pensions, but such cases are rare, and if they take place at all they can only take place in cases of exceptional merit, and in those cases I think the House would not grudge the larger pension which promotion gave to the official of merit. Further, that larger pension would not be given under this Bill, but under the general pension scheme of the country. I have been asked to say in the Memorandum which has been spoken of whether this Bill applies to Resident Magistrates. Certainly it does, just the same as it applies to every other Civil servant—just so much and no more—and I do not think hon. Gentlemen would desire to exclude them from their just rights in the way of pension, which are considered just with respect to the rest of the Civil Service of which the Resident Magistrates are an integral part. It would be in the highest degree impossible to say to any branch of the Civil Service, "You, and you only shall not be affected by the Bill." But the

fact that Resident Magistrates are covered by this Bill when they are transferred to other offices is not, so far as I can see, any reason why this Bill should not pass, and I would point out that the only way in which Resident Magistrates can be affected by this Bill is when they are transferred to some other place which at present has not a similar pension scheme, or is not in line with the general pension scheme of the country. I do not know who contemplates the promotion of Resident Magistrates, and I maintain that this is not a sufficient reason for stopping the discussion of this Bill, which is intended to remedy a great, though not a very wide-spread, injustice, and to enable the Government to have a fair field of selection in the transfer of Civil Servants who have deserved promotion by the services they have rendered. There is no desire on the part of the Government to traverse the Report of the Commission to which the right hon. Gentleman has alluded, and I earnestly press upon the House not to go further with this Motion, but to proceed to the discussion of the Bill.

\*(10.47.) MR. MORTON: Several appeals have been made to the Chancellor of the Exchequer to give us information as to the estimated charge this Bill will make upon the taxpayers of the country. He has not answered that appeal; but I hope he will do so, because we have a right to insist on having that information. I would also make an appeal to the Leader of the House. He said just now that if this Bill was in any way affected by the recommendations of the Royal Commission of which the right hon. Member for Wolverhampton (Mr. Fowler) was a Member, it ought not to pass. I say undoubtedly it is largely affected by that Report. One of the recommendations of that Commission is that from all future pensions there shall be a deduction of five per cent. towards a Pension Fund. There is no such proposal in the Bill, and there are other recommendations of that Commission which receive no attention in this measure. Under all the circumstances, I think the right hon. Gentleman would save time if he allowed us to report Progress with a view to the prepara-

tion of the Memorandum which has been asked for. But if the Government will not consent to that, I hope the Chancellor of the Exchequer, as the guardian of the Public Purse, will tell us now what is the estimated charge that this Bill, if it is passed, will make upon the funds.

\*(10.50.) MR. JOHN ELLIS (Nottingham, Rushcliffe): We must all acknowledge, I am sure, the difference in manner and tone between the First Lord of the Treasury and the Secretary of the same Department. If the First Lord of the Treasury desires to facilitate the progress of this measure, he would do well first to curb the temper of the Secretary to the Treasury. I certainly hardly remember during the few years I have had a seat in this House such an exhibition as we have had from the Secretary to the Treasury. The First Lord of the Treasury has to a certain extent minimised the operation of the Bill; but the divergence between his language and that of the Secretary to the Treasury adds great force to the demand from this side that the Government itself should have further time to inform itself about the Bill. Members of such great Parliamentary experience as the right hon. Member for Wolverhampton (Mr. H. H. Fowler) and the hon. Member for West Belfast (Mr. Sexton) have made the reasonable demand that we should have in black and white a Memorandum as to the scope and effect of the Bill, and the financial burden it will lay on the taxpayers. Surely that is a demand the Government cannot for a moment deny. The Chancellor of the Exchequer must, in the interests of the great office he holds, have had some idea conveyed to him as to the financial scope of the Bill; and if that be so, why should he not communicate it to the House? The mere fact—admitted under pressure—that Irish Resident Magistrates will have a right to come under the Bill, lends additional force to our arguments. In 1888 I occupied more than an hour of the time of the House with detailed accounts of the doings of these gentlemen, and I stand to everything I said then, yet the taxpayers are to be saddled with



a large sum for the superannuation of gentlemen who have been exercising their functions in such an unsatisfactory manner during the past few years. We, who have devoted some time and attention to the government of Ireland in the last five or six years, will feel it our duty to scrutinise closely, and to strenuously oppose, if necessary, a Bill which proposes to alter the financial position of the Resident Magistrates in Ireland. I hope the First Lord of the Treasury will see his way to say that we shall have the Memorandum asked for.

(10.53.) MR. BIRRELL (Fife, W.): I confess that I am sorry I am here to-night, for, after losing my dinner and my temper, and listening to the whole of the Debate, all I know about the Bill is that it is very different from what was suggested on the Second Reading. There is a well-known saying of Dr. Johnson, who, when he was asked the meaning of a particular couplet in Pope, said he did not know what it meant, except that it was meant to give pain to some body. I only know that this Bill is to give pleasure to somebody, and who that somebody is we ought to know before we proceed further. I think an indignity has been put upon the Resident Magistrates by putting them at the tail of the Bill after all the other humbler Civil servants. Their names were not even mentioned on the Second Reading, and could it have been reasonably supposed by any fair-minded man that the Bill would benefit anyone except a humble class of Civil Servants? We find that this class of persons, to which natural objection is taken, are to be benefited; and I hope the House will, in justice to itself and to teach Ministers of the Crown that the best way to get measures through the House is to make a clean breast of it and tell Members what their object is, insist on its right to ask you, Sir, to report Progress, and ask leave to sit again.

(10.55.) MR. SEYMOUR KEAY: I only rise to point out the extraordinary self-contradiction in the speech of the First Lord of the Treasury. He told us, as an apology for the present position of the Govern-

*Mr. John Ellis*

ment in this Debate, that there were only two or three exceptional classes of pensioners which would be dealt with by the Bill, and then within three minutes afterwards he said—I believe I give his own words—that the Bill would include “Resident Magistrates and all classes of public servants.” That is only another instance of what we have before observed with regard to the right hon. Gentleman and his Colleagues—namely, that they, practically speaking, come before the House and the Committee knowing nothing of the effect of their own Bills. The Secretary to the Treasury gave us what he called a concrete instance. I will, from the First Lord’s mouth, give a concrete instance to show the absurdity of saying that this Bill is only to provide for one or two exceptional classes. I ask, if that be the object of the Bill, why is the vast class of the pensioned officers of the Government of India brought in? They are drawing in pensions at present to the amount of no less than £3,300,000 a year, and are now without the benefit of this Bill. The right hon. Gentleman knew that all these public servants would benefit by it, and yet he had the audacity to say that the Bill would only benefit two or three exceptional classes, and he does not give one word of explanation as to why the pensioners from India, already drawing over three millions sterling, have been obviously unnecessarily brought into the Bill.

(11.0.) MR. MAC NEILL (Donegal, S): I rise to support the Motion to report Progress, in order that there may be, in the interval between this and the next Sitting of the Committee, a Memorandum supplied to show us explicitly what public servants are to be benefited by the Bill, and in what manner. At length we have before us the Bill to protect the Resident Magistrates; this is the veiled, but real, intention of the Bill, and the Memorandum would show how many of them are to benefit. Eighteen months ago it came to my knowledge, from practically official sources, that the right hon. Gentleman, who was then Chief Secretary for Ireland, had given an

undertaking to the Resident Magistrates to provide for them before his Government went out of office. The moment I heard that I gave the right hon. Gentleman ample opportunity of contradicting it if it were true—everyone who has had five or six years' experience of question and answer with the right hon. Gentleman will know that that is not an Irish bull, but is absolutely true. I wrote to the *Daily News* instantly, making the allegation, and also wrote a second letter, and they have not been contradicted from that day to this. But on the eve of the death of this Parliament comes this Bill, the true intention of which is to provide for the Resident Magistrates. The Memorandum asked for would show that no less than two-thirds of these 73 gentlemen have been in the Civil Service in India or elsewhere. Now that I have the right hon. Gentleman face to face, perhaps he will say whether or not I slandered him in saying in the *Daily News* that he was determined to protect the Resident Magistrates, and that we were as resolutely determined to oppose him?

\*(11.4.) SIR CHARLES RUSSELL (Hackney, S.): I do not intend to prolong the discussion beyond a moment or two; but I do urge on the First Lord of the Treasury—as to whom much has been said by my hon. Friend who has spoken from below the Gangway, and who certainly has shown, on the assumption of greater responsibility, wider and greater consideration to arguments addressed to him than when holding a former and less responsible position than that which he now occupies—to accept the Motion to report Progress. I think enough has been disclosed in this discussion to make it apparent that if the House had realised what were the real nature and scope of this Bill the arguments advanced against the Second Reading would have been different from those which were actually adduced, and we should not have had that Closure which a good many Members of this House now regret. Appeals have been made, none of which have been answered by those who have spoken from the Go-

vernment Benches. It has been asked what are the classes which it is intended to benefit by this Bill? I cannot suppose that my right hon. Friend whose name is upon the back of this Bill, the Secretary to the Treasury, and those who have instructed him, had not in their minds, definitely and clearly, not the case of the gentleman who occupies the position of a warder in some part of Kent or the Isle of Man—because that case has been obviously got up for the purposes of this discussion. I cannot but suppose that my right hon. Friend and those who have instructed him—or who have informed him, if he objects to the word “instructed”—are thoroughly aware of the classes whom it is intended should be benefited by this Bill. What are these classes? Let it be fully and frankly stated by my right hon. Friend what these classes are. By the language which he has used, it would be made to appear that this was an extremely narrow application of the pension scheme, and that this proposal was only to apply to a little branch of the Civil Service. I think it cannot be supposed that the right hon. Gentleman the Chancellor of the Exchequer, to whom more than one appeal has been made in this matter, has put his name or caused his name to be put on the back of this Bill without having submitted to him some Memorandum as to what the proposed increased cost of this measure would be to the taxation of the country, if it were passed. He has been appealed to to give these particulars, and he has not responded to the appeal. Lastly, the right hon. Gentleman the First Lord of the Treasury said this Bill did not contravene any of the recommendations of the Committee that sat in 1888. While I am not going to discuss the merits of the Bill as a whole on a Motion to report Progress, I may say that I think the right hon. Gentleman was mistaken in that respect. Sub-section 2 of Clause 1 in distinct terms provides that—

“The allowance or gratuity of superannuation to any person is to be such as might be granted to him if his whole service had been in the public office from which he ultimately retires.”

The recommendation of the Committee is this—

"We think, on the whole, the case would be met by fixing the pension in proportion to the average salary for the last ten years."

It has been suggested—I do not know with what truth—that this is only an attempt on the part of the Government to put their Irish house in order, and to provide for the case of the Removable Magistrates. Let me put a case. A man begins with a salary of £300 a year. He shows what I will call extreme zeal in his office, and he is promoted to an appointment worth £600; and ultimately he is promoted to a position worth £1,000 a year. He has got that position only a year ago; and yet, under this Bill, he would be entitled to have a superannuation allowance, not upon the average service or salary of the last ten years, but on the last salary—namely, the maximum salary of £1,000 a year. I do submit, on the whole, that this is a case in which the right hon. Gentleman would be wise to yield to a demand which I submit is reasonable under the circumstances of the case, and let us know more about the history of this Bill, its real object, and its probable cost to the country before we proceed further with it.

\*THE CHANCELLOR OF THE EXCHEQUER (Mr. GOSCHEN, St. George's, Hanover Square): As my right hon. Friend has already stated to the House, it would be perfectly impossible to arrive at any such estimate, as these are exceptional cases. There are but a few cases which have come under the notice of the Treasury, such as the case suggested by my right hon. Friend, so few indeed that a very few thousand pounds would meet the whole of them. The hon. Member spoke as if a whole body were going to be affected by this Bill; but there will only be isolated men—a few men in a very large body, who might possibly be affected. The whole object of this Bill is to insure that transfer from one Department to another, where the pension arrangements are different, shall not inflict loss upon a man so transferred, so that he shall not lose his pension to which he would otherwise be entitled. That would apply to all

*Sir Charles Russell*

branches of the Civil Service, but will mainly apply to the cases pointed out by my right hon. Friend, and these are the most numerous cases. So far as I can make out, hon. Members opposite have got hold of a bogey. I can assure hon. Members that really the whole question is a small one, that it applies only to single individuals who are in a special position, and that there is no intention whatever to change by this Bill the general pension arrangements of this country. As regards the argument which has been submitted by the hon. and learned Gentleman who has just sat down, and who says that Sub-section 2, Clause 1, runs counter to the recommendation of the Royal Commission which has done such great service, I would point this out to the Committee. If the recommendation of the Royal Commission is carried out—namely, that it is the average salary of the last ten years, and not of the last three years, which should be allowed to count for pension, then that must apply to the whole of the Civil Service, and not only to those transferred from one branch of the Service to another. But this proposal does not run counter to the general recommendation of the Committee; it is only a remedy for the particular grievance of those transferred from one place to another. I do not see—and I think hon. Members will agree with me—why in the case of a transfer the same number of years should not apply as would apply in a case where no transfer has taken place. I can assure the right hon. Gentleman the Member for Wolverhampton that I have done my utmost, and my right hon. Friend the Secretary to the Treasury has done his utmost, to carry out the spirit and the views of the Royal Commission. If we considered that this Bill ran counter to the recommendations of that Commission, we should not have introduced this Bill, or given our sanction to it. All we wish to do by this Bill is to put a man who has been transferred in the same position as a man who has served continuously in one branch of the public service, and to remove that public grievance that you cannot transfer a man unless you make him sacrifice his pension, and therefore that you cannot pro-

mote a man whom you otherwise wish to promote in the interest of the public service, but must either limit your choice, or accept the other alternative of inflicting an injustice on a man who has served for a certain number of years. I assure the Committee that I have now stated frankly and in a straightforward way that the object of this Bill is simply to put men who have been transferred to a Department where different pension arrangements exist, as far as we could, under the same rule as those who have served continuously under one Department.

(11.15.) MR. STOREY: The Chancellor of the Exchequer has explained that this is a small Bill. If I thought that this was a small Bill I should withdraw the Motion which I made some time ago. But I think one is entitled to make this remark if the Bill is a small Bill and touches the interests of so few and so poor persons, I think it is a remarkable fact that a Government which is so greatly in arrear with its public work, and has important Bills which it is yearning to bring before the country, should absolutely force this little peddling Bill on the House. I must say that the draft on my credulity which the Secretary to the Treasury made was large; but in that respect the Chancellor of the Exchequer has exceeded him. I must say that I am very well content with the discussion that has taken place, and I think I have a good right to be, because we have been enabled to show that there is much more in this Bill than the Secretary to the Treasury would have us believe. I do not know what the views of my hon. Friend may be; but, for my own part, I should be very well content now to go to a Division.

(11.19.) MR. JAMES ROWLANDS (Finsbury, E.): I think the real difficulty of this evening has arisen out of this point—that we had not a Second Reading Debate on this Bill. When the hon. Member for Peterborough distinctly drew the attention of the Secretary to the Treasury to the fact that the right hon. Gentleman the Member for Wolverhampton should

have an opportunity of discussing this Bill—in spite of that, he went with what I consider indecent haste and rushed through the Second Reading by means of the Closure. He immediately went and put down the Bill for next day. He got the Speaker out of the Chair by the ordinary Rules of the House, and proceeded to thrust the whole of this Bill down our throats, without our having any opportunity of putting down Amendments or discussing it in any particulars whatever. What is the scope of the Bill so far as we have heard? We have listened with attention to the speech of the Chancellor of the Exchequer, who has told us just now that there are only a few isolated cases that are covered by this Bill. If only a few isolated cases are to be covered by this Bill, as he wishes us to believe, these isolated cases can be put clearly and definitely before the House; and we should not be asked to vote for a Bill with general provisions, such as this Bill contains, if there are only a few isolated cases, as the right hon. Gentleman insinuates. But I take it that the speech of the Chancellor of the Exchequer shows the necessity of your reporting Progress more thoroughly than any argument urged from our side. He has told us that there is a very small scope indeed to this Bill, and that it will affect only a few isolated cases. We ought to give him the opportunity which he must require of laying before the House the necessary information with regard to those few isolated cases. We read this Bill, so far as it is placed in our hands, to have very wide and very far-reaching conditions contained within it. If we are wrong, then let us have full information with regard to it before we are asked to discuss any clause in it, so that we may know exactly where we are. If we are right, then we have justified our position. But I do not think, so far as the Debate has gone, anything has been said from the Ministerial Benches to show us that if we pass this Bill as it is at present we shall not be pledging this House to very far-reaching propositions indeed, and we shall not really know what we have done towards pledging the taxpayers of this country. I want to know

—for I cannot find it in the scope of this Bill—what class of Civil Servants is included in it. I want to know whether it brings them all in, or whether those who are of the industrial classes in the service of the Government are covered, and will have an opportunity of reaping any benefit under it as well as those who have had the benefit of holding office in high places and high favour, and with high salaries. The whole of the clauses are a set of general propositions which may be applied just as the Government of the day cares to apply them, and which may be ignored just as the Government of the day cares to ignore them. And I think we should be neglecting our duty as the guardians of the Public Purse if we allowed a Bill of this description to pass through the House until we have been supplied with all the necessary information to enable us to understand the measure. What is the course of the Government? To attempt, as they have done, without any information whatever, to pass this Bill. There was no real information in the speech of the Chancellor of the Exchequer, and we are expected to swallow this Bill without any information. I think the best thing the Government can do is to give way to the evident opinion of Members on this side of the House. At present the Government do not seem to care to give us that information. The Chancellor of the Exchequer chided Members on this side of the House for believing that there was a large sum of money involved in this Bill. He said it was only a question of a few thousands of pounds. Then, I say we ought to know where those few thousands of pounds are to go to, and to know whether we are committing ourselves to anything else. If it is only a question of a few thousands of pounds, it can easily be set out in a Memorandum, which can be prepared in the next few days, and then we can enter upon the Committee stage of this Bill with a clear mind, knowing exactly where we are going to. I ask the First Lord of the Treasury to give us this information which we desire. I am sure as Leader of the House he would be facilitating very much the progress of the measure in which he

*Mr. James Rowlands*

seems, or his Government seem to be deeply concerned. He must expect us to feel rather sore with regard to this Bill, and to resent the way in which the Second Reading was got. I know if he were sitting on this side he would be one of the first Members to resent the way in which this Bill has been thrust upon the House, and he must give us credit for holding the same sentiments. I do not know whether he intends to listen to the rational request of the Members on this side, and to the very strong reference which has been made with regard to the Report of the Commission of 1883. It has been pointed out over and over again that this Bill goes contrary to the Report of that Commission. I ask him distinctly and clearly whether he intends that we shall fight this Bill to the bitter end? If he will not listen to our request, then he must be prepared that on every Amendment we move to this Bill we shall fight with determination and as long as we possibly can, because we do not know to what we are being committed. I am not going into the question as to whether this Bill has been put down to stop legislation. I am astounded at the proceedings of the Government not with regard to this Bill, but with regard to other Bills. They say they have a large programme—

THE CHAIRMAN: Order, order! The hon. Member has made a very rambling speech wholly disconnected with the Bill.

MR. JAMES ROWLANDS: I am very sorry if I have been rambling. I will refer to the Bill directly. I want information before I go into Committee on this Bill with regard to how far the country is pledged under it. I read Section 2 of Clause 1 and I say its scope is of such a character that we have no information before the House enabling us to vote upon it. That information should have been given in the Second Reading of the Bill, and we have a right to ask for it now. I ask the First Lord of the Treasury whether we are to have more definite information than we have had with regard to this clause. I have tried to base my criticism upon the speech of the Chancellor of the Exchequer. I particularly took



## HOUSE OF LORDS,

*Friday, 6th May, 1892.*

## THE STAMFORD PEERAGE.

Report from the Committee for Privileges that the Claimant, William Grey, hath made out his claim to the titles, honours, and dignities of Earl of Stamford and Baron Grey of Groby, both in the Peerage of England; made, and agreed to; and resolved and adjudged accordingly; and resolution and judgment to be laid before Her Majesty by the Lords with White Staves: Ordered, that all deeds, documents, and papers produced on behalf of the Claimant by his agent be delivered to the said agent: The evidence taken before the Committee for Privileges to be printed.

ELECTRIC AND CABLE RAILWAYS  
(METROPOLIS).

Ordered, That as regards any schemes for which Bills have been deposited, the Joint Committee have power to hear the parties promoting any such Bill before reporting that it should be not proceeded with.

House adjourned at twenty-five minutes to Five o'clock.

## HOUSE OF COMMONS,

*Friday, 6th May, 1892.*

The House met at Two of the clock.

## QUESTIONS.

## VOLUNTEERS AND JURY SERVICE.

COLONEL HOWARD VINCENT (Sheffield, Central): I beg to ask the Financial Secretary to the War Office if he can state when the Lord Chancellor will introduce the measure contemplated dealing with the Jury Laws; and if, having regard to the facts brought forward showing that the liability to jury service of the Volunteer

Force extends to only 25 per cent. of the non-commissioned officers, and eight per cent. of the privates, Her Majesty's Government see their way to extend the concession as regards the officers to other ranks?

THE FINANCIAL SECRETARY, WAR OFFICE (Mr. BRODRICK, Surrey, Guildford): The Lord Chancellor has not yet informed me of the date when he proposes to introduce the measure dealing with the Jury Laws. I am afraid I must ask my hon. and gallant Friend to bring his influence to bear upon the Lord Chancellor to secure the further concession he desires.

## RE-DIRECTION OF LETTERS.

MR. KELLY (Camberwell, N.): I beg to ask the Postmaster General under what authority, and at whose instigation, the postal officials of the Western Central District caused certain letters directed to one Woodcock, 106, High Holborn, to be sent to another person at another address from 22nd December, 1891, or from about that date, to 9th March, 1892, without the assent, and contrary to the repeated remonstrances of Woodcock; whether such conduct on the part of such Post Office officials was legal; and whether, inasmuch as there is no legal remedy, by way of damages, for the loss caused by such illegal acts, he will undertake that stringent orders are issued to prevent any repetition in the future of similar acts?

THE POSTMASTER GENERAL (Sir J. FERGUSON, Manchester, N.E.): The letters to Mr. Woodcock referred to in the question were, under the authority of the Postmaster General, re-directed to an accountant to whom Mr. Woodcock had made an assignment of all his property except household furniture and leaseholds for the benefit of creditors. The letters could not be delivered as addressed, inasmuch as Mr. Woodcock had left the place of address. They were re-directed to the assignee, because upon perusal of the deed of assignment its terms appeared to be sufficiently large to cover the business letters of Mr. Woodcock. In consequence, however, of the objections raised on the part of Mr. Woodcock the assignee was in March last further

communicated with, and it was ultimately arranged that letters addressed in Mr. Woodcock's own name without the addition of the words "and Company" should be re-directed to him. The re-direction was justified by the terms of the assignment; but in future cases of the same kind, where there is any dispute between the assignor and the Trustee as to the delivery of the assignor's letters, it would, I think, be better that such letters should either be delivered as addressed or returned to the senders, and instructions will be given accordingly.

MR. KELLY: Arising out of this answer may I ask whether, in the absence of Orders under Section 26 of the Act of 1883, the Postmaster General claims to have letters re-addressed? May I further point out that the remedy the right hon. Gentleman suggests for the future would be fatal to the debtor—that of sending all letters back to his customers?

SIR J. FERGUSSON: The Department acted under legal advice in what they did, but I recognise the inconvenience of returning such letters. If the hon. Gentleman thinks that communication between himself and the legal adviser of the Post Office would be useful, then that gentleman will be very happy to see my hon. Friend.

#### RECKLESS BICYCLE RIDING.

THE MARQUESS OF GRANBY (Leicestershire, Melton): I beg to ask the Secretary of State for the Home Department whether his attention has been called to the number of accidents caused to the public by reckless bicycle riders; whether he has seen a letter in the *Times*, of 3rd May, from a sufferer from injuries caused by being knocked down by a bicycle in Holborn; and whether the police in London have any powers with respect to the regulation of bicyclists in the streets; and, if so, whether he will cause inquiry to be made into the alleged conduct of the constable mentioned in the letter in question?

THE SECRETARY OF STATE FOR THE HOME DEPARTMENT (Mr. MATTHEWS, Birmingham, E.): Yes, Sir, my attention has been called to the considerable number of accidents caused by bicycles and to the letter in

the *Times* to which my noble Friend refers. By the 85th section of the Local Government Act the provisions of the Highways Acts are made applicable to bicycles, and the penalties imposed by the Metropolitan Police Act may be enforced against bicycle riders for furious riding. The Commissioner has issued a special notice on this subject, a copy of which I shall be glad to send to my noble Friend. In the particular case referred to in the question, I am informed by the Commissioner that the constable did not witness the occurrence; but on arriving on the scene of the accident he ascertained from the injured person that he had obtained the name and address of the bicycle rider, and, therefore, no further action was taken at the time. The name and address, however, upon inquiry being made, proved to be false.

#### CATHOLIC PRISON CHAPLAINS.

DR. CAMERON (Glasgow, College): I beg to ask the Secretary to the Treasury if he would say under what scheme or by what arrangement of the Treasury does the Roman Catholic priest of Liverpool Prison, with a daily population of 800 and commitments of 19,000, receive £300 a year, a house, and pension, while the Roman Catholic priest to Glasgow and Barlinnie Prisons, with a combined daily population of 1,200 and commitments of 26,000, receives £100 a year and has neither house nor claim to pension?

THE SECRETARY TO THE TREASURY (Sir J. GORST, Chatham): I answered a similar question on Tuesday last, and I am afraid I cannot add to the answer I then gave to the hon. Member for Kirkcaldy (Mr. Dalziel).

#### DRAWBACK ON BRITISH SPIRITS.

DR. CAMERON: I beg to ask the Chancellor of the Exchequer if he would state the amount of "drawback allowance" paid on spirits manufactured in the United Kingdom and exported during the last financial year?

THE CHANCELLOR OF THE EXCHEQUER (Mr. GOSCHEN, St. George's, Hanover Square): The amount was £363,614.

*Sir J. Fergusson*

## BRITISH EMBASSY IN MOROCCO.

MR. HARRISON (Tipperary, Mid): I beg to ask the Under Secretary of State for Foreign Affairs if the British Embassies are furnished with provisions at the cost of the villagers of the villages through which they pass on their way to Fez from Tangiers by order of the Sultan, or if they pay for their food and forage?

THE UNDER SECRETARY OF STATE FOR FOREIGN AFFAIRS (Mr. J. W. LOWTHER, Cumberland, Penrith): His Majesty the Sultan provides the baggage animals and their forage on the occasion of a Mission to his Court, but the provisions for the members of the Mission are paid for by Her Majesty's Minister.

## PAUPER REGULATIONS.

MR. HARRISON: I beg to ask the President of the Local Government Board if he can see his way to fixing the age at which paupers entering the workhouses are compelled to chop firewood and pick oakum at 60 instead of 70 years of age; and if he could see his way towards obtaining a better diet for the aged paupers?

\*THE PRESIDENT OF THE LOCAL GOVERNMENT BOARD (Mr. RITCHIE, Tower Hamlets, St. George's): The only regulation of the Local Government Board bearing on the subject is that the paupers of the several classes shall be kept employed according to their capacity and ability. The question as to the employment of a pauper depends solely upon these considerations. There is no rule that inmates of workhouses shall be compelled to chop firewood and pick oakum unless they are 70 years of age. As regards the question of dietary, it is the invariable practice to provide for the aged paupers a better diet than that for the other classes.

MR. RANKIN (Herefordshire, Leominster): I beg to ask the President of the Local Government Board whether there is any law or Order of the Local Government Board which forbids the Guardians of the Poor classifying the indoor paupers, so that the respectable and dissolute paupers may be dealt

with in a different manner; and, if so, whether he will consider the propriety of repealing such law or such Order?

\*MR. RITCHIE: The Regulations of the Local Government Board provide for the classification of the inmates of a workhouse as follows:—(1) Those who are infirm through age or any other cause; (2) Those who are able-bodied; (3) Children above the age of seven and under fifteen; and (4) Children under seven years of age. The Regulations, however, expressly provide that the Guardians shall, so far as circumstances permit, further sub-divide any of these classes with reference to the moral character or behaviour or the previous habits of the inmates, or to such other ground as may seem expedient.

## SUNDAY MAILS FROM LONDON.

MR. COX (Clare, E.): I beg to ask the Postmaster General whether he is aware of the great inconvenience to Irishmen in London in not having any convenient receiving office for posting letters to Ireland on Sunday; whether at present such letters have to be posted at Euston Station in order to catch the Sunday night mail; and whether he will consider the desirability of having a receiving office for Sunday evening's mail at Charing Cross or some other central place?

SIR J. FERGUSSON: Such inconvenience is shared by Scotchmen and English provincial visitors to London. Letters on Sunday can only be posted at the General Post Office or at the railway termini. The opening of another receiving office at Charing Cross, or elsewhere, has often been considered, but it has not been thought proper to increase the Sunday work in the London post offices without some considerable public demand being made for it.

MR. WEBB (Waterford, W.): Can letters be posted at Victoria Station?

SIR J. FERGUSSON: At all the principal railway termini letters can be posted on Sunday.

## FOREIGNERS IN GREAT BRITAIN.

MR. MONTAGU (Tower Hamlets, Whitechapel): I beg to ask the President of the Local Government Board whether he can now, or at what date,

state the result of the recent Census as regards the number of persons of foreign birth resident in London and the other large towns in Great Britain in April of last year?

\***MR. RITCHIE**: A Return of persons described to be of foreign birth resident in England and Wales at the time of the recent Census will be given, as on former occasions, in the detailed Census Report, which will probably be presented to Parliament early next year.

**MR. MONTAGU**: Can the right hon. Gentleman give us this special information in advance, seeing there are so many contradictory reports of the number of foreigners in this country?

\***MR. RITCHIE**: It is quite impossible. The tables have to be gone over in regular rotation, and to employ a special staff to go through all the Census papers and pick out the foreign residents would not only cause enormous delay

**SIR J. FERGUSSON**: I have previously mentioned that I acted under legal advice in the way they did, but I recognise the inconvenience of returning such letters. The hon. Gentleman thinks that communication between himself and the legal adviser of the Post Office would be useful, then that gentleman will be very happy to see my hon. Friend.

#### RECKLESS BICYCLE RIDING.

**THE MARQUESS OF GRANBY** (Leicestershire, Melton): I beg to ask the Secretary of State for the Home Department whether his attention has been called to the number of accidents caused to the public by reckless bicycle riders; whether he has seen a letter in the *Times*, of 3rd May, from a sufferer from injuries caused by being knocked down by a bicycle in Holborn; and whether the police in London have any powers with respect to the regulation of bicyclists in the streets; and, if so, whether he will cause inquiry to be made into the alleged conduct of the constable mentioned in the letter in question?

**THE SECRETARY OF STATE FOR THE HOME DEPARTMENT** (Mr. Matthews, Birmingham, E.): Yes, Sir, my attention has been called to the considerable number of accidents caused by bicycles and to the letter in

*Sir J. Fergusson*

people of London, having regard especially to the fact that, unless measures are now taken for that purpose, it will be impossible to do so during the current year?

**THE FIRST LORD OF THE TREASURY** (Mr. A. J. BALFOUR, Manchester, E.): In answer to my hon. and gallant Friend, I have to say that my attention has been called to the desire expressed in many parts of the country that some method should be devised for dealing with the question of the immigration of aliens who are likely to become a charge upon the public. From such investigation as I have been able to make into the facts, I should not be disposed to agree with all the statistics and inferences drawn by my hon. and gallant Friend in his question. At the same time, I am prepared to admit that various circumstances—among others the action of foreign Governments—have materially affected, and, in the future, may still more seriously affect, the emigration from the Continent to this country. The matter is one which, as my hon. and gallant Friend is probably aware, is full of difficulty; but my hon. Friend the Home Secretary is anxiously considering legislation by which adequate powers for dealing with and effect may be placed in the hands of the Government.

#### Prisons

#### tion of MINING ROYALTIES.

**26,000, RICHARD MORGAN** (neither hordvil): I beg to ask the

**THE SECRETARY OF THE EXCHEQUER** (Sir): The fact that the present answered a year is favourable for day last, and on, which will open to the answer an extent as to allow Member for Kinder cover during the

will instruct the

**DRAWBACK** on the Department to

**DR. CAMERO**: royalty upon all Chancellor of the Exchequer of the Morgan would state the Report of the Royal back allowance" whether he will now factured in the as to two per cent. exported during as requested by year?

**THE CHANCELLOR OF THE EXCHEQUER** (Mr. Hanover Square): I have several I am prepared to similar to those.

made in the case of the Morgan Mine, when the circumstances are similar; but each case must be considered separately, and I am unable to give the general undertaking which the hon. Member asks me to give. I can conceive cases in which the temporary concession of a royalty of one-hundredth, pending the Report of the Royal Commission, would raise expectations which that Report might prevent us from fulfilling.

**MR. PRITCHARD MORGAN:** Will the right hon. Gentleman say what he means by "circumstances"? Does he mean that persons should commence operations and have royalties fixed after they have gone to the expense of establishing the works?

**MR. GOSCHEN:** Some persons are perfectly willing to adopt a sliding scale.

**MR. PRITCHARD MORGAN:** The right hon. Gentleman has not answered my question. He talks of a sliding scale which has been refused by all practical miners. Will he charge a uniform royalty, giving a chance for the development of this industry?

**MR. GOSCHEN:** I should be wrong to undertake anything of the kind pending the Report of the Royal Commission specially charged with inquiry into the subject. Surely the hon. Gentleman will see as well as I that it would be disrespectful to the Royal Commission to make any general reduction when, in a few weeks, we may expect the Report of the Commission.

#### TELEGRAPH GUARANTEES, IRELAND.

**MR. MAGUIRE (Donegal, N.):** I beg to ask the Attorney General for Ireland whether it is in the power of a Board of Guardians in Ireland to bind the ratepayers of the Union to guarantee the expenses of a telegraph station to be erected within the Union?

**THE ATTORNEY GENERAL FOR IRELAND (Mr. MADDEN, Dublin University):** Yes, under the 8th section of the Post Office Act of 1891, Guardians, as the Rural Authority, may undertake to pay any loss sustained by reason of the establishment of a telegraph office.

#### ROYALTY RENTS IN DURHAM.

**MR. PAULTON (Durham, Bishop Auckland):** I beg to ask the hon. Member for the Epping Division of Essex, as an Ecclesiastical Commissioner, whether, in view of the very large ecclesiastical revenues received from the County Palatine of Durham, and of the present condition of the coal industry in that county, the Commissioners will carefully consider the desirability of reducing their royalty rents pending the issue of the Report of the Royal Commission?

**SIR H. J. SELWIN-IBBETSON (Essex, Epping):** In answer to the hon. Member, I have to say that the Ecclesiastical Commissioners' royalty rents are largely based upon sliding scales, varying for the most part with the selling prices of coal, but in some of the coking collieries with the selling prices of iron. Whenever the opportunity occurs, either in the granting or renewing of leases, or on application on behalf of the lessors to be placed on the sliding scale, the Commissioners will endeavour to extend the adoption of this principle as, in their opinion, the most equitable. The Commissioners, therefore, do not consider it necessary to reduce their royalty rents as suggested.

#### GOVERNMENT WORKS IN WATERFORD COUNTY.

**MR. WEBB:** I beg to ask the Financial Secretary to the War Office how much is likely to be expended on the battery and coastguard works now in process of construction at or near Tramore, County Waterford; and when the works are likely to be completed?

**THE SECRETARY TO THE ADMIRALTY (Mr. FORWOOD, Lancashire, Ormskirk) (who replied) said:** If the hon. Member will refer to page 62 of the Civil Service Estimates for the present year he will find that the estimated cost of the Royal Naval Reserve Station at Tramore is £2,438. The work is to be completed on or before 1st January, 1893.

**MR. WEBB:** I beg to ask the Secretary to the Treasury whether the Board of Works contemplates spending anything upon the construction of a fishing



pier at or near Tramore, County Waterford?

SIR J. GORST: I have made inquiry, and I am informed that the Board of Public Works has no funds at its disposal for this purpose.

#### HERRING FISHERIES.

DR. MACDONALD (Ross and Cromarty): I beg to ask the Lord Advocate whether his attention has been called to an indignation meeting of the Lewis fishermen, held at Stornoway on the 23rd April, in reference to the persistence of East Coast fishermen in fishing for herrings there, in contravention of the general understanding for a close time for fishing; what is the result of the inquiries made by the Government as to the advisability of, or necessity for, a close time, and do they intend to take such steps as will prevent herring fishing in portions of the sea where it is almost the unanimous desire of the local fishermen that a close time should be kept?

\*THE LORD ADVOCATE (Sir C. J. PEARSON, Edinburgh and St. Andrews Universities): I have seen a report of the meeting referred to by the hon. Member. The inquiries made by the Secretary for Scotland disclose a considerable divergence of opinion amongst the fishermen, fishcurers, and others interested in regard to the question of establishing a close time for herrings. The Government, therefore, under these circumstances, do not propose to introduce legislation on the subject.

#### THE FINANCIAL RELATIONS (ENGLAND, SCOTLAND, AND IRELAND) MOTION.

DR. CLARK (Caithness): I wish to ask when it is the intention of the Government to take the Financial Relations (England, Scotland, and Ireland) Motion of the right hon. Gentleman the Chancellor of the Exchequer. I understood it was to be taken at six to-night; but it is not on the Paper, and cannot therefore come on.

MR. A. J. BALFOUR: The hon. Member is perfectly within his right in putting this question. I regret that I have been unable to make any definite arrangements in regard to the

*Mr. Webb*

Motion owing to the indisposition of the Chancellor of the Exchequer.

DR. CLARK: When will it be taken?

MR. A. J. BALFOUR: As the House is aware, the Business to be taken next week is the Small Holdings Bill. On Monday there will be a discussion on Scotch University Ordinances. I am willing to suspend the Debate on Tuesday night at six o'clock, and to take the Financial Relations Motion between that time and the suspension of the Sitting at seven o'clock.

MR. T. W. RUSSELL (Tyrone, S.): Will it be possible to deal with such a subject, in the short time of the Session that remains?

MR. A. J. BALFOUR: I do not see why we cannot deal with the subject. I admit that it is an extensive one, but I do not think it needs prolonged discussion.

MR. SEXTON (Belfast, W.): May I ask the right hon. Gentleman whether the Government will give such time as will render the investigations of the Committee, which it is proposed to appoint on the subject, useful; also whether the Committee are likely to conclude their investigations during the present Parliament?

MR. A. J. BALFOUR: I have hardly the material at my disposal to give an answer to the question of the hon. Member.

#### ORDERS OF THE DAY.

#### EVIDENCE IN CRIMINAL CASES BILL.

[*Lords*] (No. 228.)

#### COMMITTEE.

Motion made, and Question proposed, "That the Order for Committee on the Evidence in Criminal Cases Bill [*Lords*] be read, and discharged; and that the Bill be committed to the Standing Committee on Law, &c."—(*Mr. A. J. Balfour.*)

(2.47.) MR. SEXTON (Belfast, W.): The action of the Government on this occasion is quite in keeping with the extremely singular course of procedure they have adopted in connection with this Bill, which proposes to effect an important change in the administration of the Criminal Law, and, in fact, to

revolutionise it. It is somewhat strange that the Attorney General should not have thought it worth while to be present when a Motion was to be discussed which would have the effect of removing the Bill from the consideration of the House to a smaller body of Members upstairs. The First Lord of the Treasury is not a Law Officer of the Crown, and I contend that it is nothing short of a scandal that such a Motion should be made with regard to this Bill by a layman. On that ground alone I should have been entitled to move the Adjournment of the Debate. I abstain for the present from doing that; but I suggest that as the Attorney General has treated the Bill with such contempt, the Debate cannot effectively take place on the present occasion. Now, the Second Reading of the Bill was taken late at night as a surprise, and substantially without debate. I have not known in my experience a previous case in which a Motion for the Second Reading of such a Bill has been made within half an hour of midnight. When this Bill was called on, an English and a Scotch Member—not legal Members—spoke against it; but the first Irish Member who offered to speak upon it was met with the Closure. The Bill proposes to revolutionise the Criminal Law of this Kingdom by giving a person accused of any offence against the law the option of making a statement upon his oath in regard to it; yet the Second Reading has been taken without debate. The Irish Members, who are specially interested in it, have been forbidden to speak upon it; the principle of the Bill has never been investigated, which in itself is a questionable procedure, and there is now a Motion before the House to remove the Committee stage of the Bill to a small Committee upstairs. I respectfully submit that such a proposal should not be tolerated without full and unrestricted debate on the Second Reading, and after the House have had an opportunity of expressing an opinion upon the principle of the Bill. I would further point out that the stage which the Government wish to avoid is a stage which has actually been commenced. Therefore, the pro-

posal of the First Lord of the Treasury is as inadmissible as it is uncalled-for. It is also a retrogressive one, and invites the House to declare a fiction. Now the Speaker stated, in reply to a question which I put to him on the subject yesterday, that the course proposed was an unusual one, and he added, after further inquiry, that the Bill had been in Committee, and that the Chairman was bound to report something, but that no substantial progress had been made with it. I think he might also have stated that it was not only unusual but unprecedented. No doubt the Speaker did not use the latter word, because he thought it might contain a reflection. At the same time, the term “unusual,” coming from the Chair, was in itself something in the nature of a warning. I am entitled to submit that the Government have taken an unjustifiable course. In the ordinary usage of this House, when a Bill is to be referred to a Committee, it is open to any Member to move an Instruction; but the Motion of the First Lord of the Treasury is a restricting Motion, which would deprive the House, as a whole, of the right to give Instructions to a Committee, because the denial of the right of individual Members is also a denial of the right of the House. Surely that in itself is a sufficient condemnation of the present proposal. To refer this Bill to a Standing Committee on Law is a misuse of the machinery of this House. Those Standing Committees were devised for purposes well understood—they were intended to relieve the House of a certain kind of labour. It was proposed—and I think the Debates of the House at the time will show it—in the case of Bills, in regard to which there was general agreement as to their leading principles, ascertained on the Second Reading, and where Bills were complicated and required special knowledge, that it would be more convenient to the House that the Committee stage—the stage of detail and minute examination—should be deputed to a smaller body of Members having special qualifications. And I freely admit that in the case of such non-contentious Bills that procedure is better. But this is not such a case. The Bill is not complicated; it cannot

be called a Bill of any length ; it is not a non-contentious Bill. In the opinion of the Irish Members, the Bill is largely contentious, and we protest against such a Bill, with regard to which we have had no opportunity of expressing our views, being taken from the floor of the House, as a destruction of the most valuable rights of Irish Members with regard to legislation in this House. What is the constitution of the Law Committee with regard to Irish Members? The Committee of Law consists of 68. Members, and contains eleven Irish Members of all Parties. On it there are seven Irish Nationalist Members, four of whom—Dr. Commins (Roscommon, S.), Mr. T. M. Healy (Longford, N.), Mr. P. Mahony (Meath, N.), and Mr. J. E. Redmond (Waterford)—are absent. We have no assurance or expectation that any of these Members can attend the Committee upstairs. Six Irish Members have availed themselves of their right to put down Amendments to be dealt with by a Committee of the whole House, and here I have to return for a moment to the subject of the proposal to avoid the Committee stage to remark that the Committee stage had so far progressed that not only had the Chairman taken the Chair and reported Progress, but that these six Irish Members had availed themselves of their right to put down Amendments to be submitted to the Committee of the House, which it is proposed to extinguish. Only two of these Members are Members of the Standing Committee. The other four Members are debarred from bringing their Amendments before that Committee, because they are not Members of it. The right hon. Baronet the Member for the University of Oxford (Sir J. R. Mowbray) has, of course, the power to add fifteen Members of the House for the special purpose of this Bill ; but although Ireland is specially interested in the Bill, the Bill is an Imperial Bill, and therefore the Committee of Selection, in adding fifteen Members, would not take any exceptional number of Irish Members. They would probably treat the Irish Members proportionately to their representation in this House. Therefore, we can only look for the addition of two

or three Irish Members, and I submit that the four score Members who sit on this Bench would consequently not have any fair representation on the Committee. I say the nature of the Bill is such that it cannot properly be considered by the Standing Committee on Law. The main provision of the Bill is that a person accused of any offence may have the option of offering evidence upon his oath on the hearing of the charge against him. Now, Sir, I submit that if the Committee stage is taken away from this House, where it has the advantage of the presence of a number of gentlemen such as the Solicitor General for England, and the Member for West Ham, Mr. Fulton, and others who are versed in the administration of the Criminal Law—I say that effective consideration of the Bill cannot be had by the Standing Committee upstairs. In connection with the proposition that the person accused of the offence should be entitled to offer evidence in respect to the charge against him, there are two matters which require essentially to be considered. One question is whether such a change in the law will not be calamitous. It has to be considered whether a person accused and guilty of a crime and of opinion that the facts against him are conclusive, might not be tempted to try a last chance by offering a false oath, and to fortify this by the perjury of others. That is one point in regard to which we cannot have satisfactory consideration except by this House itself, or by a Select Committee which would have the opportunity of examining experts. There are two points relative to Ireland. In England the administration of the Criminal Law is impartial ; but in Ireland, owing to political and agrarian conditions, the administration is not impartial. I say that, in order to enable me to vote upon the clauses of this Bill and to vote upon its Third Reading, I require the testimony and evidence of persons versed in the administration of the Criminal Law in Ireland as to whether the ends of justice would not be defeated by a provision of the law which affords the accused person the option of offering evidence upon oath as to a charge against him—

*Mr. Sexton*

self. In my opinion, in any case of political or agrarian character which comes before the Justices, the Police, or the Stipendiary Magistrates, or before a jury packed with persons who are not of the prisoner's creed, or a trial after a change of venue, the option of offering evidence upon oath will be likely to operate against the ends of justice. For, if the prisoner declined to give evidence, it will be taken as proof of his guilt; and if he did offer evidence upon oath, the particular charge against him would be used by the Justices of the Peace, the Stipendiary Magistrates, and counsel for the Crown in cases where the jury was packed, as a means of extracting political information not relative to the particular charge, but relating to movements in the country. It would also be used, in cases where the prisoner pleaded good character, as a most offensive, irritating, injurious, and unconstitutional inquisition into the whole course of his life. I submit there are grave and substantial reasons why the Committee stage should not be taken by the Committee on Law, but by a Committee with power to call experts to give us the evidence we are without at present, and which we require in order that we may come to a judgment upon the matter, and which will not be afforded by the course we are about to pursue. I hold that the most convenient proceeding will be to allow the ordinary course to be taken, so that Members from Ireland and other Members may address themselves in Committee of the whole House to the consideration of the details of the Bill. I submit, under these circumstances, the First Lord will do well to withdraw the Motion which he has made—a Motion which the Chairman has declared to be unusual, and a Motion which carries inconvenient and unconstitutional consequences. If the Government refuse to adopt this course, I submit it is the duty of the House to object to the Motion.

\*MR. KNOX (Cavan, W.): I have on the Paper a notice of Motion which I hope it will not be necessary to move; or at least, before that course is taken, I hope we shall have an explanation from the Attorney General as to the reason of the unusual course proposed in

reference to this Bill. I feel especial regret at the absence of the Attorney General, because I have to call the attention of the House to a report—I hope and believe it is an incorrect report—of the speech which he is alleged to have made on the Second Reading of the Bill. That speech, if it was made by him, must have been, from his knowledge and from the circumstances of the case, a deliberate attempt to mislead this House. ("Order!") I say I cannot believe that this speech was made by the learned Gentleman. My hon. Friend the Member for West Belfast (Mr. Sexton)—though no Member of this House watches the proceedings with greater care than he does, in his endeavour to prevent the many injustices which are contemplated constantly by hon. Members opposite—has been slightly inaccurate in his description of what occurred on the Second Reading of this Bill. He has confused the Second Reading of this Bill with the similar stage of another Bill. If the facts had been as he suggested, the present Motion would, indeed, have called for comment. But as the facts stand, the Motion is subject for much more serious comment, and the point is one the House would do well to consider if there are to be any longer relations of ordinary courtesy between Members on one side of the House and on the other. In that interest it would have been better had the circumstances been otherwise. It appears, according to the report in *Reuter's Parliamentary Debates*, that the Second Reading of this Bill was taken immediately after the discussion of a technical subject on which the majority of the Members of this House were not interested—the Indian Councils Bill. One would have thought that a Minister, rising to propose an important measure after a discussion on a Bill of that character had suddenly ended, would have explained to the House the nature of the measure he was proposing, and whether, from his past experience, the Bill was non-contentious or not. I do not find that the learned Gentleman did anything of the sort. According to this report, he said—

"I beg, Sir, to move that this Bill be now read a second time. There has been a uni-

versal expression of opinion in favour of the measure, which was read a second time last year, and which has been most carefully considered by Lord Herschell and by all the lawyers in the House of Lords, and it meets with their approval."

What may be thought of this measure by Lord Herschell or the lawyers of the House of Lords we do not know. It is very probable that they do approve of this measure, because it is a matter of common knowledge that Irish Nationalists are not represented in the House of Lords. They do not want to be. But so far as Irish lawyers in the House are concerned, the Attorney General must have known that they were, and have for many years been, determinedly opposed to this or any similar measure. When in 1888 a similar measure was proposed in this House, my hon. and learned Friend the Member for Longford (Mr. T. M. Healy) opposed it most vehemently when the Attorney General had the conduct of the measure. So that it must have been within the knowledge of the Attorney General that, instead of there having been a universal expression of opinion in favour of this Bill, it was a Bill which a large section of Members in this House determinedly opposed, and will continue to determinedly oppose. If, then, the Attorney General did use those words, I venture to say it was most unfortunate, in the interests of courtesy between hon. Members on opposite sides of this House, in the interests of Government business to-day, and hereafter, during this Session, and to the end of the present Parliament, that the statement should have been made. It appears that if this report is correct the Second Reading of this Bill has been obtained by what is little less than fraud. By contrivance it was that the Second Reading was obtained when, of course, no Irish lawyer was in the House, and when Irish Members who are not lawyers did not see what the Bill meant, but were deluded by the statement that there was a universal expression in its favour. But, even so far as Great Britain is concerned, I know there are many distinguished lawyers who are opposed to this measure. The hon. and learned Member for the Brigg Division of Lincolnshire (Mr. Waddy), a distinguished

criminal lawyer, has told me he is opposed to this Bill because he believes that in many cases it will lead to the conviction of innocent persons. Hence, as far as even England is concerned, it is not the case that there has been a universal expression of opinion in favour of this Bill; and as to Ireland I am not aware of any lawyer there in sympathy with the popular movement who has expressed his approval of this measure. Of course, hon. Members opposite may dismiss Ireland from their calculations when they propose such measures of reform, but we Irish Members are determined to do our duty by those who send us here, and to oppose measures which we believe will lead in Ireland to the conviction of men who are innocent of the charges made against them. We may hear it said that no man need give evidence who does not wish it.

\*THE SPEAKER: Order, order! The question is, which Committee is best calculated to deal with this Bill—a Committee of the whole House, a Select Committee, or a Standing Committee.

\*MR. KNOX: Well, Mr. Speaker, I have to admit that my words were not perhaps directly relevant. If, however, we had had an open discussion on the Second Reading there would have been no difficulty in explaining the nature and effect of the measure, in so far as it might be necessary to show that it is one which should be considered by a Committee of the whole House. Hon. Members who have no knowledge of the character of judicial trials in Ireland cannot understand what the effect of this Bill will be there, and why it is essential in our judgment that it should be discussed openly and in the light of day. But, Mr. Speaker, without trespassing upon your ruling, I will try to show why it is of vast importance that this Bill should be discussed in Committee of the whole House. In a Committee of the whole House, for instance, Irish opinion will necessarily be more fully represented than it could be in a Committee upstairs, because Irish Members are not always able to give as full attendance to Committees upstairs as they would like. And besides, there are measures before the



Standing Committee on Law which have no interest whatever for Irish Members. Then the discussions before a Standing Committee are but slightly reported. Though many hon. Members, and I for one, care little about that, and would be prepared to spend hour upon hour even *in camera* to prevent such a Bill as this passing, yet it is a noted fact that where proceedings are not reported it is difficult to obtain a regular attendance. But apart from that consideration, this is a matter of great public interest, and one which concerns the constituencies of hon. Members intimately, and for that reason I think it should be discussed under circumstances that will give them the opportunity of knowing how their Representatives act in regard to it. As far as I can learn, no such Bill as this has ever been suggested after mature inquiry by any Commission or other body. The Royal Commission which inquired into the question of the Criminal Code in 1879 did make certain suggestions on this subject, but the learned Commissioners were divided in their opinion. Some of them thought it would be better not to allow prisoners to be examined at all. However, the majority overruled the minority, and they did, under certain conditions, propose to give prisoners the right of giving evidence. But what were those conditions? In the first place, the learned Commissioners considered that it was essentially necessary to give power to the Court to strictly limit the right of cross-examination, not by mere rules of evidence, but at discretion. In the second place, the learned Commissioners did not propose to give a prisoner the right to give evidence on oath, or to give the prosecuting counsel the right to cross-examine, at a preliminary inquiry. They only proposed to give such right to the one or the other at the trial. To Ireland this is a matter of great importance. It means whether or not Removables in Ireland are to have the power to worry and torture unfortunate men who come before them. The Judges of Assize in Ireland are not always beyond suspicion of political feeling. They have obtained their places by faithful service to the Crown in obtaining convictions, and most of

them carry to the Bench not a little of the feeling shown by them at the Bar. They remain Crown Prosecutors upon the Bench. There is a danger in the proposals of this Bill in the case of trial at Assize, but there is a greater danger in the case of trial before a Removable Magistrate. If the Government had brought in a Bill in the terms of the Criminal Code recommended by the Commissioners I have alluded to, we might have had less objection to the discussion of the details before a Grand Committee, but as they have chosen to bring in a Bill which is essentially different from what was recommended by those Commissioners, and which has not been recommended by anyone after full inquiry into the subject, I think we have a right to demand that discussion of its details shall be carried on by a Committee of the whole House. Then the Government have deliberately removed the safeguards which were introduced by the wisdom of the learned Commissioners in their Report in 1879, and have neglected to supply any others. Many safeguards might be introduced, if this Bill were considered by a Committee of the whole House. For instance, I notice that an hon. Member opposite—a Conservative of the old school, who does not wish to break up the foundations of the British Constitution—proposes that if prisoners are to be put in this new and dangerous position they shall be provided with counsel to watch their interests. The hon. Member opposite is not a Member of the Standing Committee on Law, and therefore that reasonable Amendment cannot be moved, at any rate by the hon. Member who has designed it, before the Committee upstairs. This is one of the safeguards that might be inserted in the Bill. Well, Mr. Speaker, this Bill is one which we in Ireland are resolutely opposed to, and we will oppose it here or upstairs. Surely there is enough distrust of the law in Ireland already, and enough difference between the tone and temper of the English and Irish Courts, without altering the Criminal Law of Ireland in such a way as to increase that distrust and difference. An hon. Friend of mine, who is a Unionist, went to Ireland, and although he remains

a Unionist he said to me, "I must admit that in the tone and temper of the Courts of Justice, and in the way justice is administered in Ireland, as compared with England, there is a difference which the mere letter of the Statute Book cannot explain." The fact is that in Ireland the jury are often of a different religion, and even speak a different language from the prisoner. The Judge, too, from his whole training, is opposed to the prisoner, regarding himself as a being of a superior class. Jury, Judge, and prosecuting counsel are linked in an effort to punish the unfortunate man who is placed in the dock. In England the prosecuting counsel is thought to exceed his duty if, in an ordinary case, he uses all the skill of his profession to obtain a conviction; but in Ireland the prosecuting counsel's greatest achievements are those in which he obtains convictions on behalf of the Crown. I venture to think, Mr. Speaker, as there is already great distrust of the law in Ireland, it would produce a disastrous effect if this House were to decide that a further change in the law, opposed by the vast majority of Irish Representatives, shall be carried out in such a way as will deprive the mass of the people of knowing anything about what goes on. If the Government persists in sending for the consideration of Standing Committees Bills on which there is an essential difference of opinion as to the principle, they will entirely destroy the utility of these Committees. If Bills like this are sent to the Standing Committee there will be no moderate or reasonable measure, about which there is a general agreement, passed through it this year. The consideration of the Amendments to this Bill will necessarily be more lengthy in a Standing Committee than in a Committee of the whole House, for many reasons. In the first place, the Closure does not apply in the same way. At any rate it is not so commonly applied, and for other reasons it is probable that the discussion before the whole House would take a shorter time than the discussion before a Standing Committee. So I venture to ask the Government, if they wish the Standing Committee on Law to do any useful work in the interests of legal reform during this

Session, to withdraw the proposal they now make and allow this Bill, which must remain essentially contentious, and on which there must remain an essential difference between the Irish Members and Members on the opposite side of the House, to be discussed in a Committee of the whole House. I appeal to those Gentlemen opposite, who though they may be Conservatives are not in favour of uprooting every principle of freedom which still remains, to help us in passing this reasonable Amendment, and I appeal to them to prevent the passing of a Motion which would be disastrous to the administration of the law in Ireland, and would destroy the last vestiges of respect for the administration of justice that are left in the Irish people.

(3.32.) THE FIRST LORD OF THE TREASURY (Mr. A. J. BALFOUR, Manchester, E.): With regard to the observations that have been made as to the absence of my hon. Friend the Attorney General (Sir R. Webster), I regret it is impossible for him to attend in his place, but I will try to replace him, and lay before the House certain reasons which I think should convince hon. Members that the course we propose is the correct one. The Member for West Belfast commenced his speech by referring to what happened at an earlier stage of this Bill.

MR. SEXTON: If the right hon. Gentleman will allow me I will at once admit that I fell into error. The Government had rushed the business and we were taken by surprise. In speaking just now I was in error, and had another Bill in my mind.

MR. A. J. BALFOUR: I was not going to make any point of it, but I was going to remind the House that the hon. Member had fallen into an error as regards this Bill.

MR. SEXTON: I confused it with another Bill.

MR. A. J. BALFOUR: There was no Closure on this Bill. It was read a second time without opposition in a thin House, and when the hon. Gentleman and, I have no doubt, several of his colleagues from Ireland were absent. There was no taking by surprise on the part of the Government in any evil sense of the term. The Bill was on the Order

Paper in the ordinary way, and the Irish Members were quite aware, or might have been, if they had consulted the Paper, that it was likely to be brought on. The Member for West Belfast alleges that it is not a very usual course of procedure to refer to a Standing Committee a Bill of which the Committee stage in the full House had already been begun. I say that the Committee stage had not been begun. The Chairman had been got out of the Chair, but no question had been discussed, no Amendment had been proposed, and no progress had been made with the measure; and if the Minister in charge of the Bill thinks that its progress would be facilitated by transferring it, even at this stage, to the Grand Committee, I confess I see no objection to that course, and I do not think the House would have any reason to complain.

MR. SEXTON: Even if Amendments have been put down?

MR. A. J. BALFOUR: I do not know that that ought to make any difference. The House is aware that the object for which the Grand Committees were established was to relieve the Committee of the whole House of some of the heavy labours thrown upon it. But the hon. Member has a further objection to the course proposed by the Government, based upon the fact, as he seems to think, that the powers of the House to move Instructions on going into Committee had been destroyed by the particular procedure we have adopted. The hon. Gentleman is certainly mistaken, because, suppose we went on with the discussion before a Committee of the whole House, the power of moving Instructions has already been lost, and no additional or further loss is entailed by the fact that this Bill is to be discussed upstairs. Further, I do not think either the Member for West Belfast or his friends need be afraid of the particular procedure in this case, because I do not gather that any of the points which they desire to bring before the Committee are of a nature which would require an Instruction to be moved. I have taken down some of the points they have mentioned. For example, there is the point that counsel should be allowed in order to

protect witnesses; that power should be taken to limit the cross-examination of a person on his trial; a limitation of the subjects on which he may give evidence; and the character of the Court before which this evidence on the part of the alleged criminal is to be taken. All these, I admit, are points of great importance, but none of them would require an Instruction to be moved beforehand that they might be adequately dealt with in Committee. What is true about the details of the Bill is equally true with respect to the next point; and if I may gather from their speeches, what hon. Members really desire is the exclusion of Ireland from the Bill. They based their opinions on certain alleged shortcomings of the legal tribunals in Ireland. They can scarcely expect me to agree with them in their estimate, either of trial by Resident Magistrates or by Judges of Assize. But whatever may be the ground of their opinions, the question of the exclusion of Ireland from the operation of the measure is emphatically a question which can be dealt with without instruction, and emphatically a question to be dealt with by the Grand Committee on Law. In fact, questions of that kind can be far better discussed in the Committee upstairs than in the whole House. Lawyers are very strongly represented in the Grand Committee—Irish lawyers are very strongly represented, and the lay element is not absent, and everyone will admit that subjects such as this should be approached with technical knowledge, which we can hardly in proportion muster in our Debates in Committee in this House. The hon. Gentleman who has just sat down (Mr. Knox) said that he is not a Member of the Grand Committee. That would not prevent his Amendment being moved by some other Member who approved of it; and it is the infallible practice of the Committee of Selection, with whom rests the responsibility of constituting these Committees, to appoint additional Members who are specially interested in any subject, and one of their methods of arriving at a decision is noticing in whose name Amendments are down, and who in the House have shown special interest in, or objection to, the

measure to be discussed by the Committee. So I apprehend the Members for Ireland will not find themselves excluded from this Committee in proportion to their numbers. The hon. Member (Mr. Knox) also did not disguise his determination to extinguish this Bill by other means than by mere argument and opposition. He openly declared his wish that the proceedings in the Grand Committee on Law should be so protracted as to prevent this Bill getting through, and there can be no doubt that his threat was intended to deter the Government from proceeding further with this measure.

MR. KNOX: It was not intended as a threat. I merely say that the Bill would be likely to be disposed of quicker in Committee of the whole House than in a Grand Committee.

MR. A. J. BALFOUR: The hon. Gentleman told us what would take place in the Grand Committee, and left us to infer what would take place in Committee of the whole House, from the number of Amendments which have been put on the Paper. On that I will say no more. I am far from desiring to limit the power of hon. Gentlemen if they set themselves to the task to make it difficult to pass even the most useful legislation. Their power is great, but possibly it may be found to be a little diminished by the fact that some of the discussion will go on in the Grand Committee. I have been reminded, however, that there is a fourth stage of this measure, when it is not possible for hon. Gentlemen to speak more than once on each Amendment. I do not wish to under-rate the gifts and experience of hon. Members opposite, and if they are going to set themselves to work to lengthen the discussion on the Report stage that opens a prospect which I, as the Minister in charge of the Bill, cannot look forward to with agreeable feelings. But that is in the future, and I hope at this stage hon. Members will not oppose the transfer of this measure with respect to which they have safeguards both in the House and before the Grand Committee.

\*(3.38.) MR. OSBORNE MORGAN (Denbighshire, E.): I have for four or five years occupied the position of Chairman of one of these two Grand

Committees, and I have, therefore, gained some experience of the way in which they do their work. I yield to no one in my admiration of the manner in which that work is done; but I must say that a great deal depends upon the character of the Bills that are submitted to the Committees. Bills involving some technical legal question or some mercantile point, on the principle of which the House is agreed, can be dealt with much better, so far as details are concerned, by a limited body of experts. There are several reasons which point to the advisability of Bills of this kind being referred to the Grand Committees. First of all, the Members of the Grand Committees do not vote on party lines; secondly, they always hear the arguments, and last, but not least, their proceedings are very rarely reported, and Members, having no temptation to play to the gallery, generally make their speeches short and to the point. But Bills of a party character have no place in those Committees. Who would think, for instance, of referring to a Grand Committee the Irish Local Government Bill, the details of which, as well as the principle, are of a highly contentious character, and ought not to be withdrawn from the jurisdiction of the House? Then there is a third class of Bills, of which I think this is one, which are not exactly party Bills, but involve very strong feeling and very strong *animus* on the part of a section of Members of this House; and experience shows us that this class of Bills ought not to be referred to Grand Committees. The Home Secretary will remember that three years ago an Employers' Liability Bill was referred to the Grand Committee on Law Bills, and we were engaged upon it *de die in diem* for about a month. When the Bill came to the House there was a complaint both on the side of the employers and workmen that the details of the measure had not been fairly discussed and the result was that the Bill was strangled at the Report stage or Third Reading. The right hon. Gentleman has never tried the experiment of bringing that Bill before a Grand Committee again. The present Bill is one of no complication

Mr. A. J. Balfour

whatever; and a simpler Bill I do not think I ever read. It consists of two or three clauses, and there is nothing to call for that minute, careful, professional discussion which would take place in a Grand Committee, and there are several special reasons why it should not be referred to a Grand Committee. One is that the principle has not been discussed at all in the House, and I never knew a case of a Bill referred to a Grand Committee in which the principle had not been carefully considered. Then, with regard to the right to move Instructions, it seems to me that if the hon. Member who desires to move an Instruction has to take the chance of the ballot for an opportunity, the right to move an Instruction becomes a mere farce. Upon the general principles that I have endeavoured to lay down, I think this Bill should not go to a Grand Committee; but whether it should go to a Select Committee or not is another question. Meantime I would venture respectfully to make the suggestion to the right hon. Gentleman that he should undertake to omit Ireland, and then, if he sent the Bill to a Committee of the whole House, it would pass in a couple of hours. I am strongly in favour of the Bill, and anxious that it should pass into law, but I see clearly that if it be referred to a Grand Committee, in which, of course, there is no such thing as Closure, the chance of passing the Bill this Session will be very small.

\*(3.53.) MR. KELLY (Camberwell, N.): When the learned Attorney General brought in this Bill I felt the greatest objection to it, and I was surprised that there was no discussion on it, as it was not sprung as a surprise upon the House. I understood the Attorney General to say that there was, in his belief, a universal feeling among the highest legal authorities in favour of the Bill; and though I view the Bill with the greatest anxiety, I am bound to say that so far as my knowledge goes there is a very large majority of the legal profession with a strong prepossession in favour of it. I have heard it stated that one of its effects will be that more convictions will be obtained than is now the case. I believe that is so, though I do not

oppose it on that ground. Considerable weight is to be attached to the objection that in a Grand Committee the debates on the Bill will not be reported, for it seems to me we ought to consider to whom the measure will apply. Will it apply to the whole community or to the poor and ignorant members of it? If there is a Bill which of all others will unquestionably affect the poor rather than the rich it is a Bill of this kind. I regret exceedingly that anything should have been said against the administration of justice in Ireland, but I conceive that that is a reason for keeping the Bill in this House. I ask the House to consider what the Grand Committees are. I notice that the right hon. Member for Denbighshire (Mr. G. O. Morgan) spoke with admiration of the way work is done in Grand Committees. I have served upon two of them, and on those Committees there were few practising barristers or solicitors, and those who were Members were seldom present. They are excused attendance on Committees because they are practising lawyers, and yet the right hon. Gentleman the Leader of the House tells us that the presence of these lawyers will be a guarantee of proper discussion. This question should be discussed by lawyers and largely by men who are not lawyers. In the Grand Committees on which I served we had to wait many days to get a quorum, out of 80 or 90 Members we could not get 20 present. The principal decisions were taken over and over again by less than 30 Members, and we never had 60 per cent. of the Members present. Again and again also we were out-voted by the Government, as will be remembered by those who were Members when the Bankruptcy Bill was under consideration. I want the House to consider that the questions would practically be decided by 25 or 30 Members, and yet if we were to try to raise the same questions on Report in the House, we should be met with the argument that the matter was fully and properly discussed in Committee, and that further discussion, in view of the large majority which decided the question, would be trifling with the time of the House. I believe the Bill cannot be



effectively discussed by a Grand Committee, as it is not a question of detail, but one of principle. I believe the great mass of the people of England are in favour of the maintenance of the present system, and look with absolute horror at the introduction of the system in vogue in France and other countries, where it often happens that poor, dazed, half-educated women are subject to severe cross-examination without any proper protection being afforded them. But I do not believe the English Judges would allow this to go on, at any rate to anything like the same extent. Holding, as I do, that the great question in the Bill is the principle, I ask the Government not to send it to a Grand Committee, but, if they will not leave it to the House, to send it to a tribunal like a Select Committee, where the matter can be thoroughly discussed. I move to omit the words "Standing Committee on Law, &c.," to insert the words "Select Committee."

DR. COMMINS (Roscommon, S.) seconded the Amendment.

Amendment proposed,

To leave out the words "the Standing Committee on Law, &c.," in order to add the words "a Select Committee."—(*Mr. Kelly.*)

Question proposed, "That the words 'the Standing Committee on Law, &c.,' stand part of the Question."

\*(4.2.) SIR H. JAMES (Bury, Lancashire): I am very glad the hon. Gentleman opposite declared himself a strong opponent of this Bill, because that probably explains the earlier part of his speech. His description of what generally takes place on Standing Committees must have struck with astonishment everyone who has taken part in the work of those Committees. It was an attack representing to the public these Committees as a perfect scandal, and as not performing their duties. The experience of everyone on those Committees has been exactly contrary to that of the hon. Member, and the only explanation I can give of the deserted state of the Committee when the hon. Member was present was probably that he addressed that Committee with the same tone and force as he addressed the House to-day, and it is

*Mr. Kelly*

possible if he was as accurate in his statements on that occasion there were members of the Committee who thought they had more important business elsewhere. The hon. Member declares himself an opponent of this Bill, and says it has not been discussed in the House. My memory does not carry me back to the number of times it has been discussed. It has been carried by both Parties in the House, and the majorities in favour of it show that it has been approved of on several previous occasions. While I give the hon. Gentleman credit for being able to add something novel to this Debate, I do not recollect that on previous occasions he used any arguments to show that this is a bad Bill. He speaks of the iniquity of allowing prisoners to give evidence. I should like to know how he voted when it was decided to allow persons to be examined at a private inquiry in Ireland in 1882 and 1887, and I should be surprised if he then thought there was any objection to allowing an accused person to give his own version of the case. The question now is whether this Bill is to pass or not. I regard this Committee as a fitting tribunal to take charge of the Bill, to discuss it, and to place it in such shape as would be acceptable to those on the Committee best able to decide. But there is an opinion opposed to that view, and if you do refer the Bill, that course will not probably cause the Bill to become law. There will be the Report stage and the Third Reading, and I am so anxious to see this Bill in the Statute Book that I would earnestly ask the Government to see if they cannot make some concession, and I will briefly endeavour to place before the right hon. Gentleman some considerations for doing so. This Bill is necessary on behalf of justice and humanity. I am certain of this, that for years past—though our desire has been to administer justice fairly and purely—year by year innocent persons are convicted because they have not had the opportunity of stating the truth of their own case. We have admitted it in several cases, where we were creating new offences, or framing new procedure—in the Explosives Act, and the Criminal Law Amendment Act

his sentences to reply to. I did not invent sentences of my own. It was his remark and not mine about the few thousand pounds; it was his remark and not mine that only a few persons were concerned under the scope of the Bill.

(11.30.) Mr. A. J. BALFOUR rose in his place, and claimed to move, "That the Question be now put."

MR. JAMES ROWLANDS: I have to thank the First Lord of the Treasury for this.

Question put, "That the Question be now put."

(11.33.) The Committee divided:—Ayes 170; Noes 112.—(Div. List, No. 106.)

Question put accordingly, "That the Chairman do report Progress, and ask leave to sit again."

(11.45.) The Committee divided:—Ayes 111; Noes 171.—(Div. List, No. 107.)

(11.52.) DR. TANNER: As one of the Members who opposed this Bill at the previous stage, I cannot but be gratified at this magnificent *exposé* of the hand of the Government. If anything can add to the scathing rebuke the Government have received this evening, it will be the Amendment I have to move. I propose to change the words "one month" in the first clause, as the period after the passing of the Act when the Treasury may make their regulations, to "twelve months." With most indecent haste the Government have endeavoured to press forward this Bill. The Debate on the Second Reading was closed when we had had the Bill before us for only half-an-hour, and now in Committee the first proposition we come to is that the Bill shall take effect in one month from its passing. With this haste we at once suspect some sinister design, and possibly this is that the period shall cover the time before a Dissolution of Parliament, so that the Government may be enabled to make provision for their *protégés*, their

"sisters, their cousins, and their aunts," at the shortest possible notice. So, with good reason for it, I, with the greatest pleasure, move this Amendment to provide that twelve months shall elapse before action may be taken under the Bill. In the first drafting of my Amendment, I put down a period of "six" months; but going more carefully through the Bill in the brief time at our disposal, I found that in the second clause, in dealing with the extension of the Rules to Indian employments, I had to put down a period of twelve months, and, to be logical in the carrying out of my view, I must move to make the period in this clause twelve months also. My desire is, that the Bill shall not come into force until the present Government shall be out of office, and will be unable to make use of the Bill for the payment of their employees for past services rendered. I mean, particularly, those Removable Magistrates in Ireland who have acted as gaolers to some of us—men promoted from other Departments to carry out the duties of the office thrust upon them. I desire that these creatures of the present Administration shall not have this payment until another Government shall have come into power, and shall have the opportunity of investigating the merits or demerits of the claimants. I am not going to talk out my own Amendment—I shall stand to my guns. I have found out the Government in a trick, trying to carry a job; and I want them to understand that, bowing to your ruling, Mr. Courtney, I shall do my utmost in what I consider my duty to show up the nefarious plot hatched by the Government, to drag forth to light all the hidden works of darkness which have been concealed under the studied utterances of the Secretary to the Treasury and the Chancellor of the Exchequer. The more we probe these utterances with Amendments such as these, the more jobbery will be revealed, and the House will discover and condemn this last action of unjust stewardship before its authors are finally dismissed by the constituencies.

Amendment proposed, in page 1, line 5, to leave out the words "one

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month," and insert the words "twelve months."—(*Dr. Tanner.*)

Question proposed, "That the words 'one month' stand part of the Clause."

(12.0.) COLONEL NOLAN (*Galway, N.*): I have an Amendment to propose before that. I put it in writing before the Clerk at the Table. It is practically the same Amendment, but—

THE CHAIRMAN: Order, order! No Amendment has reached me—

COLONEL NOLAN: I put it before the Clerk.

THE CHAIRMAN: No Amendment has reached me. The hon. and gallant Member should have interposed before. He has allowed his hon. Colleague to make his speech and Motion, and the Question before the Committee now is, "That 'one month' stand part of the Clause."

It being Midnight, the Chairman left the Chair to make his Report to the House.

Committee report Progress; to sit again To-morrow, at Two of the clock.

#### BARGEOWNERS, &c., LIABILITY BILL. (No. 211.)

##### SECOND READING.

Order for Second Reading read.

MR. CAUSTON (*Southwark, W.*): I beg to move the Second Reading of this Bill, and I may state that the President of the Board of Trade has assented to the suggestion that it shall be referred to a Select Committee, together with the Watermen's and Lightermen's Company Bill. The proposal for a Select Committee comes from the promoters of the latter Bill, and I shall be glad to agree to it.

MR. WOOTTON ISAACSON (*Tower Hamlets, Stepney*): That is the arrangement, and upon this understanding I hope the Bill will be allowed to proceed.

Objection being taken,

Second Reading deferred till Monday next.

*Dr. Tanner*

#### SCHOOL BOARD FOR LONDON (SUPERANNUATION) BILL.—(No. 96.)

##### SECOND READING.

Order for Second Reading read.

MR. ROWNTREE (*Scarborough*): As a Member of the Select Committee now considering this subject, I respectfully put it to the House that it is very undesirable that a Bill dealing with a subject specially referred to a Select Committee should be pressed forward at this time. That Committee is now considering its Report, and I think this a sufficient objection to taking the Bill now.

Objection being taken,

Second Reading deferred till Monday next.

#### SOLICITORS' APPRENTICES (IRELAND) (COMMISSIONERS' REPORT).

MR. SEXTON (*Belfast, W.*): I am informed by the Secretary to the Treasury that while he is willing to give the Reports of the Commissioners he is not willing to give the evidence given before the Commission. I shall inquire if that will be sufficient for the parties concerned, and will put down a Notice of Motion for Monday.

##### ORDNANCE SURVEY.

#### SELECT COMMITTEE. [ADJOURNED DEBATE.]

Order read, for resuming Adjourned Debate on Question [4th May], "That the Order [11th February] that a Select Committee on the Ordnance Survey be appointed, be read, and discharged."

Question put, and agreed to.

Order discharged.

#### PIER AND HARBOUR PROVISIONAL ORDERS (No. 1) BILL.—(No. 256.)

Reported, with Amendments [Provisional Orders confirmed]; as amended, to be considered To-morrow.

#### SALMON AND FRESHWATER FISH- ERIES BILL.—(No. 258.)

Considered in Committee, and reported; as amended, to be considered upon Monday next.

House adjourned at a quarter  
after Twelve o'clock.

—we allowed the prisoner to give evidence.

\*MR. SPEAKER: The right hon. and learned Gentleman is dealing with the general question of the principle of the Bill, and he is travelling beyond the limits of the Amendment now before the House.

SIR H. JAMES: I beg the pardon of the House for having travelled away from the question, but I was anxious to ask the Government to re-consider their determination of refusing to allow Ireland to be omitted from the Bill. Nothing is further from my mind than to cast the slightest slur on the administration of justice in Ireland. If it were suggested that Ireland could not be omitted without a slur being cast on the Irish Judicial Bench, nothing would be further from my intention. When I had charge of the Bill in 1886 I took that course and offered to strike Ireland out of the Bill, and my view was that there was not the slightest reason to suppose that any slur would thereby be cast on the Irish Judicial Bench or on the Irish Bar. But I did feel that there are different phases of advocacy existing in Ireland to those existing in England. That is not because any blame attaches to my brethren of the Irish Bar, but is in consequence of the difficulty of bringing the necessity of conviction home to the minds of Irish jurymen; and they have, therefore, become more persistent in their advocacy, and their cross-examination of every witness necessarily differs in degree from the practice in this country. If the majority of the Irish Members are opposed to the extension of the Bill to Ireland why cannot you say, "We will not refuse it to those who do want it, because of the objection of those who do not." I hope this will be no bar to the consideration of the question whether this Bill should be referred to a Standing Committee. This is not in any sense a slur passed upon the administration of justice in Ireland; it is simply intended to facilitate the passing of this Bill into law, so that the experiment may be tried in England; and if it be found successful, it may in course of time be applied to Ireland also.

(4.11.) MR. A. J. BALFOUR: The right hon. Gentleman has made a direct appeal to me, and I am un-

willing for one moment to leave it without an answer. He has urged that Ireland should be excluded from this Bill, and on two grounds: He has urged it, first, on the ground of Parliamentary time. He has told us that this is a Bill which is much required in the interests of justice in England, that there is an annual crop of false verdicts given in England, by which innocent persons are sent to gaol or to penal servitude for want of this Bill. If these are the blessings which would flow from this Bill I confess I should be very reluctant that they should not be extended to Ireland. Then the right hon. Gentleman said, having regard to Parliamentary time, that the opposition raised by hon. Gentlemen opposite was of such a character that everybody knows, unless Ireland is excluded from the Bill the Bill cannot pass. Well, I am not in a position to give a direct negative to that forecast. I agree with the right hon. Gentleman that both the condition of the Notice Paper, what we have heard this afternoon, and the threats held out by the hon. Member for Cavan do not foreshadow a very cheerful prospect for those who have the conduct of business. If the right hon. Gentleman had rested his case upon the ground of Parliamentary time, I should have very little to say against the force of his observations; but he went further than that, and stated that there were methods of advocacy pursued at the Irish Bar which made it undesirable that this Bill should be extended to that country. I, of course, have no personal knowledge of these legal matters either in England or in Ireland. I have no personal knowledge, nor will the House take me as an authority on the proper method of conducting public trials or on the actual method in which public trials are conducted on one side of St. George's Channel or the other. But I must say, from my knowledge of the gentlemen who conduct public trials in Ireland, and upon whom a large amount of criticism has been passed, that I do not believe that Irish advocates would condescend to use towards Irish prisoners methods that would not be adopted by advocates in this country. I entirely repudiate the view which the right hon. Gentleman

has put before the House. However, I pass from that. The right hon. Gentleman believes that if this reference to Ireland were dropped the Bill would immediately pass into law without further difficulty. One right hon. Gentleman said it would pass in five minutes. I confess my information on the subject leads me to greatly doubt that. I believe if Ireland were omitted from the Bill on the ground that Irish counsel, Irish Judges, and Irish Magistrates are not fit to conduct their business in the same way as English Judges, English Magistrates, and English counsel—

SIR H. JAMES: I did not say that.

MR. A. J. BALFOUR: I know the right hon. and learned Gentleman did not say that; he confined his observations to counsel; but other hon. Gentlemen, speaking on the same side of the House with the right hon. Gentleman, did say so.

MR. SEXTON: My argument was confined to the difference in procedure.

MR. A. J. BALFOUR: That is true of the hon. Gentleman; and I think the hon. Member for Cavan chiefly dwelt upon the shortcomings of the Irish Bench and the Irish Magistrates. But my own forecast is that if we omitted Ireland from the Bill, hon. Gentlemen from Ireland on this side of the House would oppose the Bill, and its passage would not be so easy as the right hon. Gentleman the Member for Bury is at present disposed to think. However, I recognise that, after what has occurred, it is very improbable that with the time at their disposal the Government would be able to get this Bill through the House. I should therefore like to have a little further time to consider what the future course of the Government will be in reference to the Bill. But at all events, I may state that I do not propose to attempt to force the Bill through including Ireland; that proposal, after what has occurred, might result in our not being able to pass the Bill at all.

MR. SEXTON: Do I understand that in any event the right hon. Gentleman does not propose to force the Bill through, including Ireland, against the wishes of the Irish Members?

MR. A. J. BALFOUR: No; not this Session.

MR. J. MORLEY: May I ask the right hon. Gentleman if we are to

understand that the Government maintain an open mind with regard to the advisability of including or excluding Ireland?

MR. A. J. BALFOUR: No. We recognise that in any case Ireland cannot be included. We recognise that it would be almost impossible by physical force to get it through including Ireland. We must remember the fact that, after all, there are only six days in the week, and only so many weeks in a Session.

(4.20.) MR. J. MORLEY (Newcastle-upon-Tyne): I cannot help thinking that many hon. Members on this side of the House, and a great number of hon. Members on the other side of the House, will hear that statement of the right hon. Gentleman with great satisfaction. It is obvious that if the Government go on with the Bill including Ireland the result will be that as my right hon. and learned Friend the Member for Bury says, and as everybody who has attended to the question for many years knows, an experiment which, whether the right hon. Gentleman regards it as a beneficent experiment or not, public opinion in England desires to have tried will not be tried. I do not desire even for a moment to get on to the contentious ground of the Coercion Act; but I only want to make one remark. The right hon. Gentleman said it was hard that he should be asked to deprive Ireland of a change in the procedure which my right hon. and learned Friend described as a great boon; but that is a principle of his legislation, which he forgot with respect to criminal procedure in Ireland. But I do not want to put the case upon that ground. Nor do I wish to put it on the ground stated by my right hon. and learned Friend the Member for Bury who objected to the extension of this Bill to Ireland on account of the difference that exists between Irish and English advocacy. It is not necessary, in order to justify the exclusion of Ireland from this Bill, to go into that. The sole direct ground on which, in the present case, I should press the Government to consider favourably the exclusion of Ireland is this: that it is desired to have an experiment tried in England in conformity with English opinion, but they ought not to wish to impose upon



Ireland a change which Irish opinion does not like.

\*(4.22.) MR. BARTON (Armagh, Mid): I am a supporter of the principle of this Bill; but I shall strenuously oppose it if Ireland is omitted from its scope, and I believe that other hon. Members sitting near me will take the same course. It is all very well for the right hon. and learned Member for Bury to say that he did not intend the suggestion that Ireland should be excluded as any slur upon Ireland. But it would be a slur if a measure generally admitted to embody a desirable amendment in the Criminal Law should not be extended to Ireland. Having been engaged at the Irish Bar professionally for some years, and largely employed in criminal cases, usually for the defence, I can state that there is no difference as to the mode of advocacy between Ireland and England. There may be a difference in the circumstances to which that advocacy may be applied, but there is no difference in the method. The right hon. Member for Newcastle-upon-Tyne (Mr. J. Morley), who has just sat down, has had some experience of how trials are conducted in Ireland, having given evidence as a witness and having been cross-examined for several hours; and I was glad to note that he was very careful not to rest his argument on any such ground. Lord Coleridge, speaking on this very Bill in the House of Lords, said that since the passing of the Prisoners' Counsel Act—

“Prosecuting counsel do now, in reply, speak with a force and energy and with a partisanship against prisoners which formerly, when there were no speeches by counsel for prisoners, they were not in the habit of doing.”

Such was the Lord Chief Justice's comment on the methods of English advocacy, which do not differ from those of Irish advocacy. The newspapers from time to time report “scenes” in Irish Courts, which are calculated to give a false impression in this country as to how trials are conducted in Ireland; and injustice is done by them both to the counsel who defend, including hon. Members opposite, and to the counsel who prosecute for the Crown. It has been further suggested that there is a difference in the spirit governing the

administration of the law in Ireland which would justify this exception being made in the case of that country. I have been engaged in many criminal cases, including about twenty cases of murder, during the last few years in Ireland; and I can say most positively that, if there is any difference, it is that there is a more sympathetic feeling towards prisoners in the administration of an Irish Court than in that of an English Court. I believe that a prisoner in Ireland gets “the benefit of the doubt” extended to him more favourably than in England. Lord Morris mentioned to me to-day that he was 22 years on the Irish Bench, that he tried numerous criminal cases, and that there never was a single prisoner executed who came before him. I venture to say that no English Judge who has been on the Bench for the same length of time could say the same thing. I most respectfully repudiate the suggestions which have been made against the Irish Bar and the administration of justice in Ireland. The danger which attends the administration of the law in Ireland is not partiality in the Judge; it is intimidation directed against the tribunal.

\*(4.28.) MR. H. H. FOWLER (Wolverhampton, E.): I think the House should not allow itself to be beguiled into a controversy as to how trials are conducted, and the respective merits of English and Irish advocacy. Let us look at this Bill as practical men. The question has not been discussed in this country with reference to Ireland, but it has been discussed, and discussed for many years, by the most eminent lawyers in this House and on the Bench, with respect to English trials, English jurisprudence, and English rules of procedure. A very large number, at all events, of those who know something of the administration of justice in this country are of opinion that if this change were introduced into the criminal system, some guilty persons who now escape would be convicted, and a great many innocent persons who are now convicted would be acquitted. Parliament itself has recognised it in two of the most recent and most stringent Statutes—namely, the Criminal Law Procedure Amendment Act and the Explosives Act. We want this reform in Eng-

land. We have wanted it for many years. As practical men why should we not have the experiment tried? The right hon. Gentleman says it would take a great deal of time; it could not take a great deal of time. I venture to say that one single day's sitting in the Grand Committee would pass this Bill. It has already passed through the House of Lords; and it has come down here with the stamp of their approval. It has passed the Second Reading stage in this House. I believe one day in the Grand Committee, and possibly one night—no, not a half or a quarter of a night—spent on the Third Reading would put the jurisprudence of England and the English people in possession of a great boon which they desire and which they believe would promote the administration of justice. I appeal to the First Lord—I appeal to the Government—to pass a measure which I venture to say will be found to be one of the most beneficial which they have placed on the Statute Book during the present Parliament.

Amendment, by leave, withdrawn.

Main Question put, and agreed to.

Ordered, That the Order for Committee on the Evidence in Criminal Cases Bill [*Lords*] be read, and discharged; and that the Bill be committed to the Standing Committee on Law, &c.

#### INDIAN COUNCILS ACT (1861) AMENDMENT BILL [*Lords*].—(No. 182.)

##### COMMITTEE.

Considered in Committee.

(In the Committee.)

Clause 2.

(4.31.) Amendment proposed,

In page 2, at the end of the Clause, to add the words—"A record of all proceedings at the meetings of the Viceroy's Council, as now published in the 'Gazette of India,' and of the Presidency and Provincial Councils, shall be published in separate volumes and presented yearly to Parliament."—(*Mr. Schwann.*)

Question, "That those words be there added," put, and negatived.

Clause agreed to.

Clauses 3 to 8, inclusive, agreed to.

(4.32.) *SIR W. PLOWDEN* (Wolverhampton, W.): Before we lose sight of this Bill in Committee, I should like

*Mr. H. H. Fowler*

to make a last effort to obtain from the Government an express recognition of the principle which they have admitted, of the desirability of representative natives being added to the Indian Councils: This is the last opportunity that we can have of rectifying what I believe is a defect, and I hope that that defect may be rectified. Every single administrator of great experience who has held high position in India has now admitted the desirability of this change in our administrative system in that country. The change has been admitted as desirable in years long gone by, but opinion is now much more largely gathered together in favour of its adoption. Now, Sir, I believe there is one method by which this recognition can be at this stage of the Bill admitted. I do not suppose the hon. Baronet the Member for the Evesham Division of Worcestershire would raise any opposition to the recognition of this principle of representation which I seek to see admitted into the Bill. I was very grieved to hear in the Debate a few nights ago the remarks which fell from the hon. Baronet. He qualified the words which he had used, but he stated distinctly that in times of crisis and danger the natives of India were not, for ability and energy, able to take the place of Europeans. I would traverse altogether that statement. I think it is most unfortunate that an hon. Gentleman in his position and with his knowledge should have ventured to formulate such an opinion and to have expressed it in this House. He, I believe, was not present in those series of sad events which took place in 1857 in India. I think the country was unfortunate in his absence, and I think the hon. Baronet himself was unfortunate in being absent, because a man of his great administrative ability would in these serious occurrences have been of great assistance in the country; and, on the other hand—

(4.36.) *THE CHAIRMAN* (*Mr. COURTNEY*, Cornwall, Bodmin): I understand the hon. Member desires to move an Amendment to this Bill referring to the desirability of adopting the representative principle in the Councils. The Preamble is always taken last, in order that it may be in perfect consistence with the Bill in its final

shape. The Preamble would not be consistent with the Bill in its final shape if amended as proposed, and therefore the Amendment would be out of order.

(4.37.) MR. MAC NEILL (Donegal, S.): Is it within your knowledge, Mr. Courtney, that the Government have in three cases admitted the representative principle?

THE CHAIRMAN: Order, order! That is in no way relevant.

Bill reported, without Amendment; to be read the third time upon Monday next.

BURGH POLICE AND HEALTH  
(SCOTLAND) BILL.—(No. 230.)  
COMMITTEE. [*Progress, 29th April.*]  
Considered in Committee.  
(In the Committee.)

POSTPONED CLAUSES AND SCHEDULES.

Clause 4.

(4.40.) DR. CLARK (Caithness): I think this clause must be again postponed, as it is a Definition Clause, and there must be modifications made in it.

\*THE LORD ADVOCATE (Sir C. J. PEARSON, Edinburgh and St. Andrews Universities): If it be a competent course it is desirable, as this is a clause that must be amended in a consequential manner, to bring up the Amendments on Report.

(4.41.) DR. CLARK: This is a Definition Clause, which requires modifications. As a rule, Definition Clauses are at the end of a Bill, otherwise you must have discussion upon them. Therefore, I think it had better be postponed; but I do not desire to press its postponement. One of the matters which we must discuss if it is gone on with now is Sub-section 9, which covers the word "Commissioners," as against "Councillors."

THE CHAIRMAN: Order, order! It would be very unusual to postpone a clause again. It appears quite simple and not a disputed matter to make Amendments to a Definition Clause at a subsequent stage of the Bill.

(4.42.) DR. CLARK: I have an Amendment to leave out of this clause Sub-section 9. This raises the question as to whether the title in the burghs shall be "Councillor" or "Commissioner." The old term in all the

Royal burghs, and in all the burghs, until I think the Police Act, was Town or Burgh Councillor, and this term is used in England, Scotland, Ireland, and Wales. But the Council in a police burgh in Scotland is called a Board of Commissioners, and the members are named Commissioners, so that under the present position of things you have old Royal burghs with a population of 700—sometimes only 300 or 400—with Councillors, and large police burghs with Commissioners. I am a little doubtful whether, under the new clauses, even an old Royal burgh, except under the old Royal Burgh Charters, will not change its terms, and the members be called Commissioners. New police burghs of a population of 68,000 or 70,000 are very much more important than the old decaying and dying Royal burghs; and it is a point of honour among them that they have a right to the terms "Council" and "Councillors." I am glad to say we have carried our point so far that in future these large burghs will have a Provost, and Magistrates, and Councillors. If the Lord Advocate will give us any explanation why he should have the two phrases then, of course, I will not press my Amendment; but to place the large burghs under the Police Acts in the same position as Royal burghs as to name, style, and authority, is practically the aim and object of this Bill; and I do not see why we should retain both names.

Amendment proposed, in page 3, line 9, to leave out Sub-section (9).—*(Dr. Clark.)*

Question proposed, "That Sub-section (9) stand part of the Clause."

\*(4.44.) SIR C. J. PEARSON: In one sense this may be regarded as a verbal matter; but there is another sense disclosed by the speech of the hon. Member, that shows it is more important, for it touches sentiment. I believe myself there are sufficient reasons for keeping this designation. In the first place, it has become a perfectly well-known and distinct term in Scotland, because it is a term applied to bodies created under the Police Acts of 1850 and 1862, and has a distinct meaning. Having that meaning, it has not only passed into the ordinary language of the people,

but has been over and over again adopted in Statutes. It is a convenient term, as indicating the fact that these bodies are acting under certain Statutes, and are not Town or Burgh Councils, in the sense in which these words are understood throughout the whole of Scotland. If there is any value in the distinction, it does appear to me that as a matter of convenience it ought not to be confused, as it certainly would be by the Amendment. For these reasons, I think the clause should remain as it is.

(4.46.) MR. CALDWELL (Glasgow, St. Rollox): We must look at this matter practically. We are dealing with a Police Act and a Public Health Act, which is to apply to all burghs in Scotland, police, as well as to every other burgh in Scotland. We are conferring upon these burghs equal powers, and if we are going to have uniformity at all, why should some burghs call their Magistrates Commissioners, while others call their Magistrates Town Councillors? We are now attempting to introduce a uniform system, and give uniform powers in all the burghs in Scotland; and I do not see why, in the future, there should be in some cases the title of Commissioner, and in others the title of Town Councillor. It has been urged, as an argument for retaining the distinction, that these were introduced as Police Commissioners. They were introduced then, because their powers were of a very limited kind. They were only practically, police powers, and, therefore, had to be distinguished from Town Councillors, who had larger powers. But the object of this Bill is to bring about uniformity in local management, and I can see very great inconvenience in keeping up the distinctive terms. I hope, therefore, the Amendment will be accepted.

(4.48.) DR. CLARK: I take it that under the first Schedule we are repealing all the other Burgh Acts of all kinds, of William and all the other Sovereigns before Victoria. We are beginning again *de novo*. This is a Bill to consolidate, and if the Lord Advocate will kindly look at page 5, Clause 5, he will see that the words are—

*Sir C. J. Pearson*

"This Act shall apply from its commencement to every existing burgh; and (b) to every burgh created under this Act."

So that the Bill will affect every burgh now in existence, and every burgh that is created; and as you repeal all the other Acts—the Acts of William and others—all your old burghs, your Royal burghs, will be in the same position, and you will, practically, be taking away, under this clause, the title of Councillors from those burghs. I contend that small toy burghs, with only 250 or 270 inhabitants, ought not to have, as a matter of sentiment, any right to such a title when large burghs with 60,000 inhabitants are debarred from it.

(4.51.) MR. BARCLAY: I think that the office of Burgh Councillor or Commissioner should be aggrandised as far as possible. I would suggest that in all burghs in which the Chief Magistrate is called "Provost" the term "Councillor" should be used.

(4.52.) MR. ESSELMONT: I do not see that any hardship would be inflicted upon anybody by adopting the term "Councillor."

(4.53.) MR. McDONALD CAMERON: Some difficulty may arise with regard to the title in cases where, as in my own burgh, they are governed by a local Act.

(4.54.) MR. CRAWFORD: I sympathise a good deal with the Amendment, but I think it would be extremely difficult to carry out the change of name throughout the Bill. On the other hand, it would be easy to change the name afterwards by a subsequent Act if it is thought convenient to do so.

DR. CLARK: I think it is important to take the sense of the House upon the matter.

THE CHAIRMAN: I would point out to the hon. Member for Caithness that if this Amendment were adopted it would, perhaps, involve five or six other Amendments.

DR. CLARK: Then I will withdraw it, and take a Division on an Amendment to another clause.

Amendment, by leave, withdrawn.

(4.57.) DR. CLARK: I now propose to leave out the word "Commissioner," and to insert "Councillor."

Amendment proposed,

In page 2, line 40, to leave out the word "Commissioner," in order to insert the word "Councillor."—(*Dr. Clark.*)

Question proposed, "That the word 'Commissioner' stand part of the Clause."

The House divided:—Ayes 228; Noes 27.—(*Div. List, No. 108.*)

Clause agreed to.

Clause 5.

DR. CLARK: This is a clause in which certain burghs are exempted. Edinburgh, Glasgow, and some of the smaller towns are exempted, and a number of the smaller burghs wish also to be exempted. Perhaps, however, the best time to consider the matter will be on the Schedule.

Clause agreed to.

Clause 9 agreed to.

Clause 15.

DR. CLARK: Connected with this clause is one of the most curious features. These large towns, having fought against the Bill, now change their tactics. They desire to be exempted, and we are exempting them. Now they ask for the right to take any section or sub-section they think proper. I think their position ought to be either that they want the Bill, or that they be taken out of it altogether. I do not see any reason at all for empowering them to take just what they want.

Amendment proposed, to leave out the Clause.—(*Dr. Clark.*)

Question proposed, "That the Clause stand part of the Bill."

\*SIR C. J. PEARSON: In the Police Acts hitherto passed, there has been power of adoption, and the course seems to me desirable in the interests of all concerned. If any of the larger towns think that any particular section suits them or contains additional powers they ought to have, I think it is reasonable they should be permitted to adopt them without incurring the expense of coming to Parliament for a special Act. I, therefore, appeal to the hon. Member to withdraw the Amendment.

Amendment, by leave, withdrawn.

Clause agreed to.

Clause 28.

DR. CLARK: This is a Limitation Clause. We have found lately that ladies are very useful as members of School Boards and in other capacities. They have been elected even to the London County Council. I want to have Home Rule, and therefore beg to move to omit the word "male," in order that duly qualified ladies may not, on no other ground than that of sex, be excluded from the scope of the Bill.

Amendment proposed, in page 16, line 17, to leave out the word "male."—(*Dr. Clark.*)

Amendment agreed to.

Clause, as amended, agreed to.

Clause 36 agreed to.

Clause 42.

DR. CLARK: It appears that the object of this clause is, that where there are various jurisdictions in one burgh, for instance a Burgh Commission and a Police Commission, each with certain powers, they are to be united. The original clause dealing with this subject went very much further than the one now before us, inasmuch as, among other things, it determined how the union was to take place. I do not see how you can carry out the proposed object by the present clause. It seems to me to be very vague. I will take one of the places which will be affected by it. In the burgh of Thurso there are two classes of Commissioners—namely, the Burgh Commissioners who exist in virtue of the burgh being a burgh of barony, and the Police Commissioners. Now, the intention of this clause is that those two bodies shall be joined together. The wording is that—

"All the powers and duties already existing, or conferred by this Act in relation thereto, shall thereafter devolve and be invested in, and be wholly exercised by the Provost, Magistrates, and Town Councils or Commissioners as the sole Municipal Authority."

Now in a burgh of barony the Police Commissioners have the larger powers, and what I want to know is, after this clause passes, will the Police Commissioners be the authority, and the Burgh of Barony Commissioners cease to exist? Of course there is no Provost



in the place. Take another case. There is the Royal Burgh of Wick and the large Police Burgh of Pulteney Town. I take it that they would not be merged. The people of Pulteney Town are under the impression that they will be merged with Wick against their will. There are a number of other burghs of the same character. The original clause had much more in it than this, and it seems to me was much clearer. The clause now before the Committee is somewhat vague, and I fail to see how it will act.

\*SIR C. J. PEARSON: It seems to me that the original clause was a totally different one from this, because it dealt with combinations of burghs under a voluntary arrangement, whereas the present clause is only intended to secure that there shall be no conflict or complication of jurisdiction in a burgh. It seems to be obviously proper as a matter of convenience to the Magistrates and citizens that there should not be a double jurisdiction. Burghs such as the hon. Member referred to would come under Clauses 22, 23, 24, or 25. In the case to which the hon. Member referred, the effect of this Bill would be to sweep the jurisdiction into the hands of the Police Commissioners, and not into the hands of the Burgh Commissioners.

MR. ASHER (Elgin, &c.): I have given special attention to this clause, as part of my own constituency seems affected by it. This clause has clearly the effect of merging various authorities over the whole of Scotland into one Municipal Authority. I do not think the clause will be found to contain anything at all objectionable.

MR. McDONALD CAMERON (Wick, &c.): I have in my constituency two burghs, the Royal Burgh of Wick and another one, Pulteney Town, which is governed by Police Commissioners. The people of Pulteney Town have taken counsel's opinion on this clause, and they have been advised that they will have to amalgamate with the Royal Burgh of Wick, and that they will cease to exist as a separate burgh. Well, they object to be coerced, and they want some definite and reliable assurance that amalgamation will not be compulsory.

*Dr. Clark*

THE SOLICITOR GENERAL FOR SCOTLAND (Mr. GRAHAM MURRAY, Bute): The conclusion to which the hon. Member has come seems to be an extraordinary one. On the arguments used by him, such places as Portobello will be merged with Edinburgh and Govan with Glasgow.

MR. McDONALD CAMERON: When this clause is passed am I to understand that it will leave the burghs such as I have referred to at liberty to take advantage of this Act as they wish?

\*SIR C. J. PEARSON: I do not see how you can force the combination of two separate burghs by this clause. I do not think the hon. Gentleman need have any fear on that point.

Clause agreed to.

Clauses 46, 60, 75, and 76 agreed to.

Clause 77.

DR. CLARK: I suppose this is one of those clauses on which the Lord Advocate proposes to make an Amendment at a later stage.

\*SIR C. J. PEARSON: That is so.

DR. CLARK: The object of the clause is to place Medical Officers of Health in the counties and in the burghs in the same position so far as qualification is concerned. Now, diplomas are granted for sanitary science, and we think it is desirable that the qualification should be amended. We think it would be better if the clause were delayed so that it might be re-cast with the object of placing the Medical Officers in the burghs and the counties on the same footing.

MR. McDONALD CAMERON: I agree with the hon. Member who has just spoken; and I think it is very necessary, in view of the difference that has been made in the examinations, that the qualification should be maintained.

DR. CAMERON: I think it would be well if the Lord Advocate would consent to the postponement of this clause in order that the Medical Officers of Health might lay their objections before him. We have made great progress since 1862, and I think the Medical Officers appointed under this Act of 1892 should be at least on a par so far as qualification is concerned, with the Medical Officers appointed under the Local Government

Act. In the small burghs it would be impossible to appoint highly-salaried men, who alone would be competent to discharge the duty of Medical Officers, and I think the clause should be altered so that the qualifications of the Medical Officers should be on a par with those required under the Local Government Act, and that the small burghs should be empowered to make arrangements with the County Authorities, so that one fully competent officer could cover a large area. I do not know whether the right hon. Gentleman has his Amendment ready, or whether it might not be as well to postpone this single clause.

\*SIR C. J. PEARSON: This is, to a certain extent, a question of procedure, and I do not think there is any ambiguity on the subject to which the hon. Member has referred. It may be in the recollection of the Committee that the Public Health Clauses of this Bill, strictly so-called, were strongly opposed by a certain body in Scotland and by some hon. Members of this House. It was thought desirable, in order to facilitate the passage of this Bill, that these clauses should be dropped, and the Bill was very carefully gone over with a view to select those clauses which were admitted by those interested to fall within the category of Public Health Clauses. The result was that the clauses with which the Committee is now dealing were selected, and I may say that the hon. Member for the College Division (Dr. Cameron) has accurately described the Amendments which the Government are prepared to introduce in this clause. The Amendments which the Government propose to make are entirely within the scope of what has been said, and hon. Members may rely upon it that they will not raise any matter other than what has been raised in the statement just made. I propose to bring them up on the Report stage, and I believe that the proper form is that the clauses should pass subject to that undertaking, and not that they should be postponed or reserved. Hon. Gentlemen who are interested may feel assured that their position will not be in any degree worse than it is now.

DR. CAMERON: I have no desire to offer any opposition to the Bill, and what I would suggest is this: The hon.

Member for Caithness has an Amendment on the Paper as to the qualification of Medical Officers; that might be put in at this stage, and that would give the sanction of the Committee to the Amendment. Then the right hon. Gentleman could make his modification on the Report stage.

MR. MUNRO FERGUSON: I have a Petition from the Town Clerk of Musselburgh in favour of those Public Health Clauses being included in the Bill.

MR. R. T. REID: I have some Petitions in the same strain.

\*SIR C. J. PEARSON: I have no doubt that most people in Scotland would rather have a portion of the Bill than lose it altogether, and it was with that view that we were prepared to consider the Public Health Clauses as a separate part of the Bill. I do not object to adopt the suggestion of the hon. Member, and I will accept the Amendment.

THE CHAIRMAN: No Amendment has been moved.

DR. CLARK signified that he moved his Amendment.

Amendment proposed,

In page 32, line 19, after the word "practitioner," to insert the words "registered as qualified in sanitary science, public health, or state medicine."—(Dr. Clark.)

Question proposed, "That those words be there inserted."

Amendment agreed to.

Clause, as amended, agreed to.

Clause 78.

DR. CAMERON: My Amendment refers to the size of the burghs to be affected by this Act, and I propose it at the request of one of the burghs which will be affected. I will read a letter on the subject which I have received from the Town Clerk of Clydebank, who says—

"Amongst the clauses of this Bill which have been postponed for further discussion is Clause 78, which seriously affects the burgh of Clydebank. The burgh was formed in 1886 with a population of 5,000, and rose to 9,998 at the last Census. We have not had many months to consider our position in regard to the management of the police force till a proposal is made to alter the law with the effect of throwing us back 20 years before we could again hope to manage our own police. Surely the population limit of 7,000 is a sufficient safeguard without further restrictions. It stands so in the Police Act of 1872 and the

Local Government Act of 1889; and if burghs with a population of 7,000 have managed their police force satisfactorily in the past, and are to be entrusted with the same powers in years to come, there can be no good reason why burghs with a similar population, but which have not yet taken over the control of the police, should be debarred from so doing until their population reaches 20,000 at a regular taking of the Census. Assuming that you are taking an interest in this clause on behalf of other burghs similarly situated, permit me to suggest one or two alternative Amendments suited for burghs over 7,000, but which have not yet taken the police into their own hands: (1) Clause 78, page 33, line 5, delete 'And at the date of the passing of this Act maintained a separate police force, and of burghs which at the date of the last Census had a population of not less than 20,000,' or (2) Clause 78, page 33, line 7, after 'force,' insert 'or formed into a separate police district in terms of the County Police Act, 20 & 21 Vict., Chap. 72,' or (3) 'That the limit of population be 10,000, instead of 20,000 (line 8), and that Clydebank be scheduled as having a population of 10,000 at last Census for the purpose of the Act.' I shall be glad to furnish you with any information regarding this burgh which you may deem necessary; and trusting you may be of some little service to us with the least possible inconvenience, I am, &c."

The Amendment I propose would meet such cases as this, and I move to delete from the word "thousand," in line 5, to "shall," in line 8.

Amendment proposed,

In page 33, line 5, to leave out from the word "thousand" to the word "shall," in line 8.—(Dr. Cameron.)

Question proposed, "That the words 'and at the passing of this Act' stand part of the Clause."

DR. CLARK: Clydebank is not the only place affected in this way. There are other burghs where a similar expression of opinion has been made, and the general feeling, I am sure, is that it is better for the control of the police to be as local as possible. Where the Burgh Magistrates have the control of the police, they find that they are more respectful; but when the police are under the control of the County Authorities, they are not so deferential to the Burgh Magistrates as is considered desirable. I would also suggest that it is a big jump all at once from 7,000 to 20,000 in the way of population; and if the Government cannot see their way to accept this Amendment, they might accept 10,000 as the population. With a population of 10,000 they ought

to have the option of having their own police, and I think the jump from 7,000 to 10,000 would be fairer than from 7,000 to 20,000.

\*SIR C. J. PEARSON: It is quite obvious that no figure which could be fixed upon would be altogether satisfactory, as populations will fluctuate. With reference to the suggested compromise of 10,000, I would remind the Commission that the figure 20,000 is a compromise. There was a proposal of 30,000, but it was put down to 20,000 by one of the Select Committees, and the reason for not putting it lower is that in regard to the administration of police there is a strong opinion entertained amongst those responsible for that administration that it is inexpedient to have a separate police force in very small communities, and that 20,000 is about the limit below which a separate police force should not be upheld, except in those cases where a separate police force has hitherto been maintained, as in many cases it has been in burghs of much smaller area and population. The limit of 7,000 is the old limit, and it is enforced only in burghs which, at the date of the passing of this Act, contained 7,000 inhabitants and a separate police force. But, as regards those which do not, it is considered desirable that a separate police force should not be set up afresh and maintained unless the population reaches so much as 20,000.

MR. ESSLEMONT: These small burghs have practically their own police. The question is whether it is to be a separate force with a Chief Constable. In all burghs they have their police force within themselves, and I do not think the matter is of so much importance as has been made out. It is inconvenient in very small burghs that you should have a separate force and a separate superintendent. I have not known that there was any trouble in arranging with the Chief Constable of the county to have a certain number of police subject to the orders of the burgh.

\*MR. BARCLAY: This is a very delicate question indeed, and the burghs have very strong feelings on the matter. One of my burghs, with between ten thousand and eleven thousand inhabitants, had given up the control of its police to the county, and,

Dr. Cameron

feeling very dissatisfied with the way their affairs were conducted, resumed control of the police. If the smaller burghs come under the county, they ought to be treated as a part of the county; but it seems that the County Council can make separate police districts of the burghs, and impose special rates. These burghs would be in a minority on the County Council when the question of special rating came up, and would not, therefore, be in a fair position. That being so, they should be absorbed into the county, and not created separate districts with special rates.

MR. STEPHEN WILLIAMSON (Kilmarnock, &c.): I cannot vote for the Amendment. My burgh of Renfrew, with a population of 7,000, has not only a separate police force, but a Chief Constable, and they set great store upon it.

MR. McDONALD CAMERON: I think with the hon. Member for Forfarshire (Mr. Barclay) that there is often great difficulty experienced in the smaller burghs, where higher rates have to be charged for a separate police force. I know several burghs where a special rate has been imposed, and it has given great dissatisfaction.

DR. CLARK: Perhaps the best way to meet the case of Renfrew as well as other burghs with regard to special rating would be to postpone the coming into force of the Act till the 1st January, 1893, which would give them time to consider what they would do.

(6.0.) Question put.

The Committee divided:—Ayes 231; Noes 71.—(Div. List, No. 109.)

(6.14.) On Motion of Mr. CRAWFORD, the following Amendment was agreed to:—

In page 33, line 8, after the word "thousand," to insert the words "and of any burgh with respect to which it shall be at any time proved to the satisfaction of the Sheriff on the application of the Commissioners of such burgh that it has a population of not less than twenty thousand."

Clause, as amended, agreed to.

Clauses 83, 87, and 100 agreed to.

Clause 101.

(6.15.) DR. CAMERON: I beg to move—

In page 42, line 7, to leave out the words "and to enforce payment thereof in the same manner as penalties."

This clause relates to the case of a man who accidentally injures a lamp. He is liable to be brought before a Magistrate and compelled to pay the amount of the damage. I do not object to that; but this clause confers power on that Magistrates to "enforce payment thereof in the same manner as penalties." This clause is taken from the Act of 1862. At that time imprisonment for debt existed; since then it has been abolished, and there is no imprisonment for a civil debt, but there is imprisonment for the enforcement of a fine. The preceding clause, 100, deals with the case of malicious mischief, where there is any fault. This clause deals with the case where there is no fault. The effect of my Amendment would be not to allow the Magistrate to enforce payment of the fine by imprisonment.

Amendment proposed,

In page 42, line 7, to leave out the words "and to enforce payment thereof in the same manner as penalties."—(Dr. Cameron.)

Question proposed, "That the words proposed to be left out stand part of the Clause."

\*(6.16.) SIR C. J. PEARSON: After consideration, I feel disposed to accept this Amendment. I think, however, to make the matter quite clear, we should add the words, "the sum shall be recoverable as a civil debt."

Amendment agreed to.

\*(6.17.) SIR C. J. PEARSON: I beg to move, in page 42, line 7, to insert the words, "and the sum shall be recoverable as a civil debt."

Amendment agreed to.

Clause, as amended, agreed to.

Clause 104.

(6.19.) DR. CLARK: I beg to move, in page 43, line 14, to leave out the words "occupier or occupiers," and insert the words "owner or owners." This is a clause which requires modification. The owner of common stairs and passages is required to put up lamps and light them with gas on the landings of houses with flats; and this clause compels the occupier or occupiers of

such common stairs or passages to light and extinguish such lamps or lights at such hours as shall be fixed by the Commissioners by any bye-law or regulation, a fine of 10s. being payable for not doing so. I can quite understand the lights on a staircase coming under the control of occupiers, and that they should light them and put them out; but they may be away for a month, and perhaps during that time the gas is lit and goes on burning night and day, there being nobody to look after it. This is work which I think ought to be done by the Commissioners. The Commissioners may pass resolutions by which they will be able to clean and light these places, and then charge the occupiers of the house for it. I do not see why the owners of the front land shall be compelled to pay in respect of these passages, when they not only go to the back land, but go straight on. They then come to be thoroughfares, and the cost ought to be borne by those who take advantage of them. I think the clause as it is drawn now is very unfair to the occupiers. It places on them a burden that ought to belong to the owners or to the general ratepayers.

Amendment proposed, in page 43, line 14, to leave out the words "occupier or occupiers," and insert the words "owner or owners."—(*Dr. Clark.*)

Question proposed, "That the words proposed to be left out stand part of the Clause."

(6.22.) MR. McDONALD CAMERON: I hope the Government will accept the Amendment. The reasons which the hon. Member for Caithness has given show clearly that the clause will remove the responsibility which ought to rest with the owner. I am perfectly certain that under the clause as it stands the work will not be well done, and will not be effective.

\*(6.23.) SIR C. J. PEARSON: This clause is expressive of the law as it now stands; it will not lay any additional burdens upon the occupier. If a passage, though used as a thoroughfare, is nevertheless private, then it will be a matter not for the Commissioners, but for the owner or occupier to look after the lighting. It will be noticed by the Committee that the first para-

graph of the clause lays upon the owner the obligation of providing, upon requisition by the Commissioners, all necessary lamps and means of lighting, and the necessary supply of gas or other light; so that the proposition is this: that the owner, having done that, shall, in addition, have to come in the morning to clean, and in the evening to light, and at night to extinguish the lamps, and that these are not among the ordinary duties of the occupier. I appeal to the hon. Member on the ground that this is not an increase of the burdens of the occupier, and also on the ground of the obvious propriety of the provision in the clause, not to press his Amendment.

(6.25.) MR. BARCLAY (Forfarshire): I do not think the right hon. Gentleman quite understands the effect of this clause. It, on the face of it, reverses what I believe has been the invariable practice in Scotland. In Scotland the occupiers provide the gas fittings, but the clause proposes that the landlord shall do so.

\*SIR C. J. PEARSON: There is nothing to prevent the occupier putting up as many gas fittings as he likes.

MR. BARCLAY: I am afraid I have not made my meaning quite clear. What I say is that it is usual for the gas fittings to belong to the occupier.

MR. GRAHAM MURRAY: Inside the house.

MR. BARCLAY: But here the first portion of the clause provides that the owner

"Shall provide all necessary lamps, brackets, and other means of lighting."

MR. GRAHAM MURRAY: That has nothing to do with the inside of the house.

MR. BARCLAY: If it is not inside the house, why on earth should the occupier pay for it? This is a practical question, for the clause is intended to apply to tenements with 20 or 30 tenants. Now, how is it practicable, with this class of tenants, who occupy for perhaps only a few weeks or months, to come to an arrangement with them as to when the gas is to be lighted, when it is to be extinguished, and how the cost is to be provided? It is impossible.

\*(6.27.) SIR C. J. PEARSON: The gas will be paid by the owner. There



is no question in this case as to the owner or the occupier paying for the gas. It is a mere question of cleaning, lighting, and extinguishing the lamps.

MR. ESSLEMONT (Aberdeen, E.): I do not think that there is any necessity for this clause at all. I think it might be well left to private arrangement between the owner and occupiers, and I would, therefore, suggest to the Lord Advocate that he should take out this section altogether.

(6.28.) MR. BARCLAY: I think the hon. and learned Gentleman has not thoroughly mastered this clause. By a subsequent section he will observe that the cost of the gas, if there is an arrangement between the Commissioners and the owner and occupier, is to be borne by the occupier, and that the cost may be recovered by the Police Commissioners. Anybody who knows anything about these houses and their tenants must know that this is practically impossible—that the Police Commissioners could not go weekly and collect the cost in amounts of a few shillings.

MR. ESSLEMONT: The clause does not provide that they should.

MR. BARCLAY: I think it does, and in order that the Committee may understand it, I will take the liberty of reading the third part of the section—

“It shall be in the option of the Commissioners to resolve, on a Motion, of which due notice has been given, to contract for, or supply, gas or other light for such common stair, passage, or private court, and to clean, light, and extinguish the same by their servants, and recover the expense thereof to an amount not exceeding the sum of 20s. for each burner per annum from the occupier, or, if there are more occupiers than one, then proportionately, according to the number of the occupiers of any building to which access is obtained by such common stair, passage, or private court.”

That seems very clear and distinct, but that is what I object to, because it is impossible for the Commissioners to accomplish it. The lighting of these common stairs, which are in one sense public thoroughfares, and in another part of a private building, ought to be laid upon the owner, and, if he likes, he can add so much to the rent of the house in consequence. I am surprised the Government should persist in refusing to accept the Amendment.

(6.32.) DR. CLARK: If the Lord Advocate will look at the

sixth line of the clause he will see that it is incumbent upon the owner or owners to supply the necessary gas or other light which may be required. It is very clear that the owner or owners are to supply the light. Under the first sub-section of the clause the occupier or occupiers are required to do the cleaning and to light the gas and to put it out, but under the last sub-section the Commissioners can at any time supply the gas and do the cleaning, and instead of it being paid by the owner and occupier, it is all to go upon the occupier. So you propose by the first sub-section that the cost shall be borne by the owner; then, by the second sub-section the cost of the cleaning and lighting goes upon the occupier, and by the third you propose that the Commissioners can come in and say: “We will both supply the gas and the cleaning, and charge it all to the occupier.” The whole of the burdens should have been shifted, not upon the occupier, but upon the owner. That is why I move to leave out the words “occupier or occupiers,” and to insert “owner or owners.” It would be difficult for the Commissioners to arrange this matter; it has been tried and found to be unsuccessful. It is very easy to place the burden upon the owners, and then the owners can raise their rents if they like for this extra labour you are putting upon them. I think it is a far better plan to lay the whole thing upon the owners and give him the control, with the Municipality; it is easier to deal with a few hundreds of owners than to deal with thousands of occupiers. I hope the Lord Advocate now understands the clause, and I hope he will give us some reason for refusing the Amendment.

(6.34.) MR. THORBURN (Peebles and Selkirk): I only rise to say that I think it will be much better to put the burden upon the owners, because that is the only means whereby the money can be collected.

(6.35.) MR. HUNTER (Aberdeen, N.) This clause contains the most absurd and idiotic provisions I recollect in any Act of Parliament for a long time. We are familiar with the case of common stairs in the Temple, and I put it to hon. Members who have chambers in the Temple how, as occupiers, they would like the obligations put upon them

to clean and light and extinguish the gas upon the stairs? Anything more inconceivably idiotic I never heard of in my life. The rational way of dealing with cases of this kind is that there should be some common property as in the Temple and Inner Court. The whole of this clause is a thing which is absolutely absurd and impracticable. It has been pointed out that there is an additional reason why nothing should be thrown upon the occupier, because in the last sub-section the Commissioners are empowered, if they think fit to exercise their powers, to charge as much as 20s. from the occupier for each burner. That is a most monstrous charge upon the occupier, and that is a charge not merely for the obligation which is thrown upon the occupier by the provisions of the section, but also for the whole of the gas which is consumed. There is absolutely no sense of propriety in this. I am told it was in the Act of 1862; I am astonished to hear it. I think the duty of lighting the gas at a particular time and putting it out at a particular time is a perfectly absurd one to throw upon the occupiers.

\***(6.35.)** **SIR C. J. PEARSON:** The Amendment is in line 14, to substitute "owner" for "occupier," but the suggestions have ranged over the 1st and 3rd sub-sections, and the references to the Act of 1862 have no connection with the provision here.

**DR. CLARK:** I may explain that I did not want to put so many Amendments on the Paper.

\***SIR C. J. PEARSON:** My proposal is that we consider this Clause in reference to the supply of gas, and that we bring up a Clause on Report. The Amendment does not raise that point. I will inquire if there is any reason for the distinction made in the Clause between the liability of owners and the liability of occupiers. While I cannot accept the Amendment—for I think it is reasonable that the owners should undertake the duty of cleansing, lighting, and extinguishing—I will undertake to re-consider the Clause.

**DR. CLARK:** I have no objection to passing over the Clause now; but it will be very difficult to carry out this method, if not utterly impossible.

\***MR. BARCLAY:** In a building containing twenty or thirty tenements, and

occupiers constantly changing, I do not see how it will be possible for the occupiers to hold meetings and come to arrangements for the lighting and putting out, &c. I should strongly recommend the withdrawal of the Clause now, and the introduction of a new clause.

**MR. GRAHAM MURRAY:** The Clause is precisely the same as that in the Act of 1862, which has been attended with no inconvenience.

**MR. HUNTER:** Because it has not been enforced. It is a question for the Commissioners to deal with. I hope my hon. Friend will divide on the Amendment.

**MR. ESSLEMONT:** Where the duty is laid upon the owners there will be no difficulty in the owners making an arrangement with the lighting authority or with their own tenants. The putting these words into the Clause is an entirely unnecessary interference.

**DR. CLARK:** Does the Lord Advocate propose to postpone the Clause, or to agree to it and modify it on Report?

\***SIR C. J. PEARSON:** It cannot be postponed at this stage; it must be passed or negatived. I would suggest that we pass the Clause now subject to an undertaking to bring up a clause on Report dealing with all the points.

**DR. CAMERON:** Let us divide on the question that the Clause stand, and if a new clause is brought up on Report we can then deal with that new clause.

\***MR. BARCLAY:** There are two questions at issue—

\***SIR C. J. PEARSON:** I quite recognise that.

\***MR. BARCLAY:** There is the question whether the occupiers should pay for the lighting, cleansing, and so forth, and whether the light should be paid for by the owners. I certainly think the Clause should be withdrawn, and a new clause brought up on Report.

\***SIR C. J. PEARSON:** It is really immaterial. I am quite willing to withdraw this Clause now, and I will propose a new clause on Report.

Amendment, by leave, withdrawn.

Clause withdrawn.

Clauses 108, 109, and 114 agreed to.

Clause 115.

*Mr. Hunter*

MR. DALZIEL (Kirkcaldy, &c.): I hope the Lord Advocate will consent to the omission of this Clause. The 1st section proposes that the duty of sweeping and cleansing the footway in front of a dwelling shall rest with the occupier. Since the clause was originally drafted this question has been fully inquired into by a Select Committee appointed, I believe, to inquire into the Public Health (London) Act, and in the result a clause was introduced into the Act for London, under which the duty is cast upon the Local Authority. If the Committee will consent to the omission of this Clause 115, I propose to substitute the clause from the Public Health (London) Act, with the necessary alterations to make it locally applicable, whereby the responsibility for keeping the footway clear shall rest under penalty upon the Local Authority, not upon individual citizens.

DR. CAMERON: I trust the Lord Advocate will favourably consider this proposal. The subject was much debated on a former occasion in this House, especially in reference to the clearing away of snow and so forth. Up to the present, the duty has devolved on the householder, but I think to the detriment of the community generally. The provision it is now proposed to re-enact was in accordance perhaps with the spirit of the time in 1862, but since then legislation has advanced, and the duty is now recognised as one for the Local Authority. My hon. Friend's proposal to take the clause of the more recent Act as a model is a reasonable one.

DR. CLARK: At the present time, the Commissioners under the clause have to keep clean the footway in front of unoccupied houses, but in front of occupied houses the duty is with the occupier. It is frequently the case after a fall of snow that while the occupiers do their duty, the Commissioners altogether neglect their share. Certainly, I think the duty should altogether lie with the Local Authority, following the principle adopted in London.

MR. ESSLEMONT: I can speak from some experience, and say the

clause in the Act of 1862 has worked most unsatisfactorily.

It being ten minutes before Seven of the clock, the Chairman left the Chair to make his report to the House.

Committee report Progress; to sit again upon Monday.

#### CHARITY INQUIRIES BILL.—(No. 278.)

##### SECOND READING.

Order for Second Reading read.

Motion made, and Question proposed, "That the Bill be now read a second time."—(Mr. A. H. Dyke Ackland.)

Objection taken.

MR. A. H. DYKE ACLAND (York, W.R., Rotherham): I hope my hon. Friend (Mr. Morton) will not seriously object to the Second Reading. The object is simply to enable County Councils—and it is purely permissive—to assist in parochial inquiries. County Councils are anxious to have this enabling power, and the Bill has been introduced at their request.

MR. MORTON (Peterborough): I have no desire to oppose the wish of my hon. Friend, but, as I read the Bill, it simply allows the County Council to find the money, having nothing to do with the inquiry at all. However, Amendments may be brought forward in Committee, though it may be difficult to find the opportunity for their discussion.

Motion agreed to.

Bill read a second time, and committed for Monday next.

#### INTERMEDIATE EDUCATION (WALES) BILL.—(No. 215.)

##### SECOND READING.

Order for Second Reading read.

MR. SAMUEL H. EVANS (Glamorgan, Mid.): This is simply an enabling Bill to allow two County Councils to combine for the support of an intermediate school for the wants of two countries. The proposal is simply to do for the Intermediate Education Act what the Technical Instruction Act of last year did for the Act of 1889.

Objection taken.

Second Reading deferred till Monday next.

# WEIGHTS AND MEASURES (PURCHASE) BILL.—(No. 257.)

Read the third time, and passed.

# PIER AND HARBOUR PROVISIONAL ORDERS (No. 1) BILL.—(No. 256.)

As amended, considered; read the third time, and passed.

# METROPOLITAN POLICE PROVISIONAL ORDER BILL.—(No. 274.)

Read a second time, and committed.

## MOTIONS.

### TOWN HOLDINGS COMMITTEE.

Ordered, That Mr. David Randell be discharged from further attendance on the Select Committee on Town Holdings.

Ordered, That Mr. Thomas Ellis be added to the Committee.—(*Mr. Arnold Morley.*)

### PUBLIC LIBRARIES LAW CONSOLIDATION COMMITTEE.

Ordered, That Mr. Paulton be discharged from further attendance on the Select Committee on Public Libraries Law Consolidation.

Ordered, That Mr. Brunner be added to the Committee.—(*Mr. Arnold Morley.*)

### LOCAL GOVERNMENT (SCOTLAND) ORDER (GLASGOW, &c.) BILL [*Lords*].

Read the first time; and referred to the Examiners of Petitions for Private Bills, and to be printed. [Bill 333.]

### COURSE OF BUSINESS.

MR. BRYCE (Aberdeen, S.): Will the right hon. Gentleman say what business, if any, will be taken this evening?

THE FIRST LORD OF THE TREASURY (Mr. A. J. BALFOUR, Manchester, E.): As the hon. Gentleman well knows, we are obliged to set down Supply as first Order; and on the Motion that you, Sir, leave the Chair, several hon. Gentlemen have Notices of Motions, discussion upon which may occupy the whole evening.

MR. SEXTON (Belfast, W.): And on Monday?

MR. A. J. BALFOUR: As good progress has been made with other Bills this afternoon, I propose to put down Committee on the Small Holdings Bill as the first Order on Monday.

### LORD SALISBURY'S SPEECH.

DR. TANNER (Cork Co., Mid): I beg to ask the First Lord of the Treasury if there is any truth in the report of the speech delivered this afternoon by the noble Lord at the head of the Government, in which it is distinctly stated that he called upon the Orangemen of Ulster to fight in the event of a decision adverse to the present Government being come to at the General Election; and, further, I wish to ask if there is any truth in the report of the speech of the noble Lord where it is said that he stated—openly stated—that in the event of the Orangemen of Ulster—a very unlikely event—taking up arms in support of their so-called interests, the Forces of the Crown should not be used against them, and that, for his own part, he would do everything to prevent the Military Forces being employed against these men in case they rebelled against the decision of Parliament and the Crown? I want to know if there is any truth in the assertion that the noble Lord used this language, which I find reported in the evening papers? I think, at any rate, we may expect some explanation from the noble Lord's relative.

MR. A. J. BALFOUR: As I was not so fortunate as to hear the speech to which the hon. Member refers, I am not in a position to answer the question he has put to me.

DR. TANNER: I will ask the question on Monday.

### EVENING SITTING.

### SUPPLY—COMMITTEE.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

Notice taken, that 40 Members were not present; House counted, and 40 Members not being present,

House adjourned at five minutes after Nine o'clock till Monday next.

## HOUSE OF LORDS,

Monday, 9th May, 1892.

UNIVERSITIES (SCOTLAND),  
ORDINANCES.

\***LORD WATSON:** My Lords, I venture to ask your Lordships to present an humble Address praying Her Majesty to withhold her assent to the words "or in mathematics" occurring in Clause IV. (2) of the Ordinance No. XI. framed by the Commissioners under the Universities (Scotland) Act, 1889. A single sentence will suffice to explain why I have ventured to take this step. The clause in question requires that a student shall pass in a higher standard so far as regards mathematics. For a pass degree mathematics is an alternative subject with natural philosophy, but the same conditions do not apply to a class in natural philosophy. Attendance at a mathematical class does not count as part of the degree curriculum, unless the higher standard has been previously passed. Attendance at a class of natural philosophy counts, without any such requirement. It has appeared to me, and it is also the opinion of men much more capable than I am of judging of these matters, that the tendency of the regulation as it stands will be to discourage the teaching of mathematics in the Scotch Universities in the case of students proceeding to a pass degree—a result no Scotchman can contemplate with satisfaction. I wish to explain that according to my view, although these words are struck out of the regulation that will not make the Code perfect; but my object in asking your Lordships to petition Her Majesty humbly to withdraw her assent from these words is in order that the way in which these two subjects ought to be dealt with—mathematics and natural philosophy—may be re-considered by the Commissioners and made the subject of a supplementary Ordinance. I do not anticipate that the noble Marquess who takes charge of Scotch affairs in

VOL. IV. [FOURTH SERIES.]

this House will have any objection to the Motion, and I am assured that the Commissioners themselves agree to the propriety of the course which I ask your Lordships to adopt.

Moved, "That an humble Address be presented to Her Majesty praying Her Majesty to withhold her assent to the words 'or in mathematics' occurring in Clause IV. (2) of the Ordinance No. XI. framed by the Commissioners under the Universities (Scotland) Act, 1889."  
—(*The Lord Watson.*)

\***LORD SANDFORD:** My Lords, I am sorry that Lord Kelvin, the highest authority in this country on the subjects involved in the Motion of the noble and learned Lord, has been summoned to Scotland by the death of a brother who was, till within the last few months, a no less distinguished professor in Glasgow than the noble Lord himself. In his absence, and with his approval, I rise to say that the Scotch Universities Commissioners offer no objection to the excision of the words objected to by the noble and learned Lord. They were certainly put in, in the first instance, on the advice and with the concurrence of those who were most competent to guide us on the subject; but I do not think that the full effects of the small change made at that time were appreciated. The words certainly destroy the balance between the subjects of examination, not only for entrance into the Universities but for the purposes of graduation; and, in assenting to the change, I quite agree with my noble and learned Friend (Lord Watson) that it will be necessary for us to exercise our discretion as to passing hereafter an explanatory or amending Ordinance in consequence of this change.

**THE EARL OF CAMPERDOWN:** Before this question is put, might I ask for an explanation with regard to this Clause IV.? Sub-section (1) says that attendance on any class shall not qualify for graduation, and then follow Sub-sections (2) and (3), which refer to attendance on particular classes. I cannot myself understand why those sub-sections are needed, and I would

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ask for an explanation. No. (1) appears to cover the two others.

\***LORD SANDFORD:** If the noble Lord will look at No. (1) I think he will see that it means that attendance at no class shall qualify for examination until the whole preliminary examination is passed, while No. (2) merely raised the second barrier in the erection of a higher standard of mathematics before a student can attend a qualifying class in that subject. This brought mathematics into conflict with natural philosophy, but there is really no discrepancy between the two sub-sections of Clause IV. of the Ordinance.

**THE SECRETARY FOR SCOTLAND (The Marquess of Lothian):** My Lords, I have only to say that I made inquiries after the noble Lord put down the Motion upon the Paper, and I find that the Scottish Universities Commission, who framed this Ordinance, are entirely in favour of the Motion of the noble and learned Lord, and also that the Universities themselves are in favour of it. Under those circumstances I have no objection to offer to the Motion of the noble and learned Lord.

Motion put, and agreed to.

#### SHORT TITLES BILL [H.L.]

Returned from the Commons agreed to, with amendments.

#### CONVEYANCING AND LAW OF PROPERTY ACT, 1881, AMENDMENT BILL.

Report of amendments to be received on Thursday next.

#### WEIGHTS AND MEASURES (PURCHASE) BILL.

Brought from the Commons; read 1<sup>st</sup>; to be printed; and to be read 2<sup>nd</sup> on Friday next.—(*The Lord Balfour*.) (No. 96.)

#### PIER AND HARBOUR PROVISIONAL ORDERS (No. 1) BILL.

Brought from the Commons; read 1<sup>st</sup>; to be printed; and referred to the Examiners. (No. 97.)

House adjourned at a quarter before Five o'clock.

*The Earl of Camperdown*

## HOUSE OF COMMONS,

*Monday, 9th May, 1892.*

### QUESTIONS.

#### - HERSHAM SCHOOL AND THE CONSCIENCE CLAUSE.

**MR. CUBITT (Surrey, Epsom):** I beg to ask the Vice President of the Committee of Council on Education if it is correct that complaints have been made that children attending the Hersham School, a public elementary school under the School Board of Walton-on-Thames, have been compelled to receive religious instruction in contravention of the Conscience Clause of the Education Act; whether the Hersham School has been declared inefficient in consequence of the result of the last examination; and what steps have been taken with respect to the Walton School Board under these circumstances by the Education Department?

**THE VICE PRESIDENT OF THE COUNCIL (Sir W. HART DYKE, Kent, Dartford):** Although the direct responsibility of the Board was not proved, breaches of the Conscience Clause did in effect occur in one or two instances some time ago, and the Department is now engaged upon the investigation of another charge under the same section of the Act. It is also the case that the Hersham Boys' School has been declared inefficient. The Department has no intention that the Board should evade its duty either in regard to the Conscience Clause or as to maintaining its schools in a state of efficiency; and unless its procedure is thoroughly reformed, it may render itself liable to default.

#### THE CONVICT KINSELLA.

**MR. WILLIAM O'BRIEN (Cork Co., N.E.):** I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland if his attention has been drawn to the case of a prisoner named Kinsella, at present in Maryborough Prison, in ill-health, undergoing a sentence of 20 years' penal servitude, for an aggravated assault upon a man named Sullivan; and whether, in view of the

fact that Sullivan obtained £150 compensation, and has long ago recovered from his injuries, and that the sentence of 20 years' penal servitude passed upon Kinsella was inflicted at a time of great social disturbance and excitement in Ireland, he can see his way to advise the Lord Lieutenant that the ends of justice have been satisfied by the term of 10 years' penal servitude already undergone, and that the clemency of the Crown might now be exercised to remit the remainder of the sentence?

\*THE CHIEF SECRETARY FOR IRELAND (Mr. JACKSON, Leeds, N.): I am informed that the convict referred to was sentenced, with three others, for the attempted murder of John Sullivan, who was beaten about the head with iron bars and left for dead. I am not aware of Sullivan's present condition of health. The question of revising the sentence passed upon this convict has been before two Lords Lieutenant, who decided that they saw no reason for remitting the sentence in accordance with memorials received.

MR. WILLIAM O'BRIEN: Will the right hon. Gentleman say, has the memorial been before the present Lord Lieutenant?

\*MR. JACKSON: I will inquire if it has been; I think it has.

#### EVICTED TENANTS AND THE LAND PURCHASE ACT.

MR. WILLIAM O'BRIEN: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland if he has observed that almost every Corporate Body and Poor Law Board in the County of Cork, with the strongly-expressed approval of the Recorder of Cork, has now passed unanimous resolutions urging an extension of time for the operation of the Evicted Tenants' Clause of the Land Purchase Act of last Session; and whether, in view of the strong expression of public opinion among all classes upon the subject, he will introduce a short Bill making the required extension?

\*MR. JACKSON: This question is substantially the same as a question addressed to me by the hon. Member on 19th February last, and I then stated that if information came to me that both the landlord and the former

tenant desired to avail themselves of the provision contained in the section referred to of the Act of 1891, but found themselves precluded from so doing through the limited time in which that section was in operation, I should consider as to the course to be taken. That information would be a condition precedent to any action on my part, and no such information has reached me.

MR. WILLIAM O'BRIEN: Is the right hon. Gentleman aware that Boards of Guardians are composed equally of landlords and tenants, and have not these resolutions been passed unanimously with the assent of the *ex officio* Guardians? Can the right hon. Gentleman have a better expression of both landlords and tenants?

\*MR. JACKSON: The hon. Member has, I think, rather missed the point I wished to bring before the House. I said, if evidence were produced before me showing on the part of tenant and landlords—in other words, the parties interested in making agreements—that they desired to make such agreements, but were precluded owing to the lapse of that section of the Act, then I would endeavour to find some means of meeting the difficulty. No such evidence has come before me.

MR. WILLIAM O'BRIEN: In what form would the right hon. Gentleman desire the information to come? Would a memorial from any body of tenants, showing the necessity of this, satisfy him, or would he wish landlords to join in such representations?

\*MR. JACKSON: I said landlords and tenants.

#### GOVERNMENT CONTRACTS.

MR. SYDNEY BUXTON (Tower Hamlets, Poplar): I beg to ask the Secretary to the Treasury when the Return relating to the way in which the Resolution of the House of 13th February, 1891, in reference to the question of Government Contracts is being carried out, will be printed and circulated?

THE SECRETARY TO THE TREASURY (Sir J. GORST, Chatham): The Return mentioned by the hon. Member is now being printed, and I hope it will be distributed in the course of a few days.

## E.C. DISTRICT POST OFFICE.

MR. PATRICK O'BRIEN (Monaghan, N.): I beg to ask the Postmaster General whether he is aware that newspapers, posted in Fleet Street and other parts of the E.C. Postal District at three p.m. on Saturdays, are not delivered in Kensington and other places within a three mile radius until eight a.m. on the following Monday; whether he is aware that this delay is caused by the insufficiency of the sorting staff and the want of space in the E.C. District Office; and whether, considering the great inconvenience to the public by delay, and the important revenue derived by the Postal Department from the distribution of newspapers from this centre, he will provide a sufficient staff and a suitable building for the expedition of the business of the E.C. Postal District?

THE POSTMASTER GENERAL (Sir J. FERGUSON, Manchester, N.E.): The omission complained of is exceptional and not regular. Newspapers posted up to 4.45 p.m. in minor offices, and up to 5.30 p.m. in larger Branch Offices, are in time for delivery on the same evening. There has been some unusual pressure lately in the East Central Office on account of numerous vacancies among sorters, but that is in course of remedy.

MR. PATRICK O'BRIEN: Is the right hon. Gentleman aware that the Office is not at all suitable for the business to be done there?

SIR J. FERGUSON: I am aware of that; it is about to be enlarged.

## PUBLIC HOUSE CLOSING HOURS IN SCOTLAND.

DR. CAMERON (Glasgow, College): I beg to ask the Lord Advocate whether his attention has been called to the fact that the Licensing Court of the Comal District of Argyllshire has granted certificates extending the hours of closing during June, July, and August in Dunoon, Sandbank, and Innellan beyond the hour prescribed by the Licensing Authority under the Public Houses, Hours of Closing (Scotland) Act, 1887, namely, "the Justices of the Peace of the county in Quarter Session assembled"; whether he is aware that in a case arising out of a similar conflict of

alleged authority between the Justices in Quarter Session of Forfarshire and the Licensing Court of Arbroath District, it was decided by the Court of Session that District Courts cannot override a decision of the Justices in Quarter Sessions as to the hour of closing; and whether he will take steps to call the attention of Clerks of the Peace to the definition of the Licensing Authority under the Public Houses, Hours of Closing (Scotland) Act, 1887, as interpreted by the Court of Session in the case referred to?

\*THE LORD ADVOCATE (Sir C. J. PEARSON, Edinburgh and St. Andrews Universities): I am informed that the facts stated in the question are correct. I will direct the attention of the Clerk of the Peace of the county where this irregularity occurred to the decision referred to; but I am afraid I cannot undertake to supply all such officials with the decisions of the Supreme Courts which may affect their particular duties.

## SCOTCH PRISON OFFICIALS.

MR. ESSLEMONT (Aberdeen, E.): I beg to ask the Chancellor of the Exchequer whether the Committee appointed by the Secretary for Scotland to inquire into the salaries, &c., of Scotch Prison Officials have made any Report; whether the Government intend to take any steps to remove the distinctions which at present exist between the English and Scotch prison officials; and whether the Government, for the information of Parliament, will explain why higher salaries are paid to English warders and guards than they pay to Scotch officers?

SIR J. GORST (who replied) said: The hon. Member will allow me to answer the question. The reply to the first paragraph of the question is in the affirmative. The Report has been presented. With reference to the second and third paragraphs, I can only repeat what I have said in answer to similar questions already put to me, that it is impossible in reply to a question to compare the various considerations that justify the rates of salaries in each particular case.

MR. ESSLEMONT: May I ask the right hon. Gentleman whether he will put this Report on the Table of the House?

SIR J. GORST: That is a question the hon. Member should address to my right hon. Friend the Lord Advocate. Perhaps he will give notice of it?

MR. ESSLEMONT: I will put the question on Thursday.

#### TELEGRAPHIC COMMUNICATION WITH DRIMNIN.

MR. FRASER-MACKINTOSH (Inverness-shire): I beg to ask the Postmaster General whether he has received complaints regarding the want of telegraphic communication betwixt Lochaline and Drimnin; and could he see his way to accept a much smaller guarantee than that last asked for an extension to Drimnin?

SIR J. FERGUSSON: An application for a telegraph office at Drimnin was made by the hon. Member for Argyllshire. The extension would cost about £270. The annual expenses would be about £50, and the revenue, it is believed, would not be more than about £5. It is, therefore, impossible to accept a smaller guarantee than £50.

#### MAGHERAFELT COURTHOUSE.

MR. McCARTAN (Down, S.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he is now aware of the unsanitary state of Magherafelt Courthouse; whether his attention has been called to the report in the *Irish News* of the 2nd instant of the emphatic protest made by County Court Judge Neligan, Q.C., on the previous day, as to the "abominable stench" and "most dangerous draughts" which sweep through the Courthouse; whether the learned Judge stated on the previous Monday—

"He was obliged to adjourn the Court before he had sat for an hour and to send home all the people who were in attendance as suitors and witnesses, and inflict on them the inconvenience and loss"

of coming back again; whether fully one-third of the County Court business of the entire County of Derry is transacted in Magherafelt; and whether he will consider, in the interest of the

public, what steps can be taken to remove the danger to health and life which at present exists there?

MR. JACKSON: The attention of the responsible officer shall be called to the matter, and he will, I hope, take the necessary steps to have the Courthouse put into a sanitary condition.

#### HORSE BREEDING IN IRELAND.

MR. McCARTAN: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland, with reference to the subsidy of £5,000 voted towards the improvement in the breed of horses in Ireland, whether he will state how much of it has been so applied, and what has been done with the balance, if any; whether he is aware that there is no person from the Division of South Down on the Committee appointed under the scheme for the County of Down, and that none of the four registered stallions selected for the county ever visit any place within the district of South Down; and whether, in view of the fact that the population of South Down is chiefly made up of small farmers who stand in need of such facilities as are offered under this scheme, steps will be taken to give this division of the county the benefit of the scheme?

\*MR. JACKSON: The hon. Member does not specify any particular year; but I presume he desires to know how the annual grant of £5,000 for improving the breed of horses and cattle in Ireland is allotted?

MR. McCARTAN: This year.

\*MR. JACKSON: I cannot give the figures for this year, because the expenditure is not yet completed, but I find by the published accounts of the Royal Dublin Society, that their expenditure in this regard during their last completed year, ended 31st December, 1891, was as follows:—By amount paid to owners of horses, service premiums, fees, &c., £3,290 5s.; by expenses of local committees, £119 17s. 2d.; by service premiums for bulls, £1,201 18s.; by prizes for mares at local inspections, £955; by purchase of pony stallion, £150; by Stallion Show, Dublin, £198 6s. 5d.; by auditor's fee, £2 2s.; by balance in bank, £492 1s. 3d.; total, £6,409 9s. 10d. The reply to the second paragraph appears to be in the affirmative. It is

stated that the benefits of the scheme were offered equally to all parts of the country; but no stallions were tendered for registration for service in South Down; accordingly there is no registered stallion in that district.

MR. McCARTAN: Can the right hon. Gentleman say how it is that there is no representative from South Down on the Committee?

MR. JACKSON: I presume that the Committee is appointed by the Royal Dublin Society.

MR. McCARTAN: They appointed no person from South Down.

MR. W. ABRAHAM (Limerick, W.), on behalf of Mr. M'DERMOTT (Kilkenny, N.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he is aware that last year the sum of £960 was given in prizes to brood mares in 16 districts in Ireland; and whether the Royal Dublin Society have discontinued the grant this season; and, if so, for what reasons?

\*MR. JACKSON: I am informed that the sum of £955 was given in prizes in Ireland for farmers' brood mares in 1891. The Royal Dublin Society have discontinued these prizes this year, and given the money instead to farmers in part payment of the fees for the service of thoroughbred registered stallions. It is believed that the expenditure of the money in this way will confer greater benefits upon the farmers.

#### COMPENSATION FOR MURDER IN IRELAND.

MR. KELLY (Camberwell, N.): I beg to ask the Attorney General for Ireland whether his attention has been called to the report of a case in which Mrs. Perry, the widow of a land agent who was recently shot when driving to Mass at Tulla, County Clare, was awarded by the Grand Jury £20 as compensation for a horse which was shot at the time of the outrage, but in which the claim for £1,000 for his injuries served by Mr. Perry, before he died a lingering death from his wounds, was disallowed on the ground that the Presentment Sessions had no power to award compensation to the representative of a murdered person; and whether

*Mr. Jackson*

the decision that there is now no power to award such compensation was correct; and, if so, whether he will consider if he will introduce a measure to give power to award compensation in such cases?

MR. PATRICK O'BRIEN: In the event of the Government deciding to introduce a Bill for the purpose of awarding any such compensation, I hope it will include the families of men shot down at Mitchelstown, Youghal, and Tipperary under orders from the Irish Government.

THE ATTORNEY GENERAL FOR IRELAND (MR. MADDEN, Dublin University): My attention has been called to the report of the case in question. There is under the existing law no power to award compensation in such cases. The Government do not propose to introduce legislation dealing with the question.

MR. MAC NEILL (Donegal, S.): Can the right hon. Gentleman explain how it was the widow of Captain Plunket got compensation—an annual allowance?

MR. MADDEN: I do not think that has anything to do with this question.

#### BIRTHS IN PRISON.

MR. PATRICK O'BRIEN: I beg to ask the Secretary of State for the Home Department whether, having in view the repugnance to the infliction of the indignity on children being born in prison, and the danger to the lives of both mothers and children, he will consider the advisability of so altering the Prison Rules as to permit the removal of all female prisoners to a public hospital during confinement?

THE SECRETARY OF STATE FOR THE HOME DEPARTMENT (MR. MATTHEWS, Birmingham, E.): I know of no sufficient reason for changing the present practice. A pregnant woman is always released from prison where, in the opinion of the medical officer, her confinement in prison would be attended with risk to her life or to that of the child. Women confined in prison are attended to in the prison infirmary, where they find as much care and medical skill as in a public hospital. It is not so much the place of birth as the conviction of the mother



which involves what the hon. Member describes as an indignity.

MR. PATRICK O'BRIEN: Is the right hon. Gentleman not aware that a very strong opinion found expression in the Press in relation to a recent case against the indignity of a child being born in gaol? Can the right hon. Gentleman say to what class those women belonged to whom he referred on a former occasion as having been released under these circumstances?

MR. MATTHEWS: I mentioned twelve, I think, and these all belonged to the humbler classes, women convicted of theft and such offences. I am quite aware of the feeling to which the hon. Member alludes; but, as I have said, I think the conviction of the mother is more prejudicial to the future of the child than the mere place of birth.

#### SPECIAL TELEGRAPH DUTY.

MR. PATRICK O'BRIEN: I beg to ask the Postmaster General whether amongst the telegraphists requisitioned for special duty at the last Epsom Spring Meeting, were two from Derby, one from Northampton, one from Leeds, two from Leicester, three from Birmingham, three from Brighton, one from Manchester, two from Bristol, and two from Southampton, most of whom were employed on special duty, and paid at special rates during the ensuing week; will he explain why it was necessary to bring telegraphists such a lengthened distance, and at such a large additional cost, when the staff of the Central Office in London were available; and whether he will see his way, in justice to the clerks at the Central Telegraph Office, and with a view to economy, to supply the staff at special events from the nearest centre?

SIR J. FERGUSSON: The arrangements made for the service in question were those which were deemed most convenient and economical, and no question of justice or injustice arises in connection with them.

#### APPOINTMENT OF TEACHER AT DOWNPATRICK WORKHOUSE.

MR. McCARTAN: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he is aware of the protest against the election of Miss McGifford as teacher in the Down-

patrick Workhouse, forwarded by eleven of the Poor Law Guardians to the Local Government Board on Saturday, 30th April; whether he is aware that the Roman Catholic children in Downpatrick Workhouse are in a proportion of five to one of any other denomination, and that, there being no Catholic official in the Workhouse, the Catholic Guardians claimed the right to have a Catholic teacher appointed; that Lord de Ros, a Protestant, in voting for the Catholic applicant (Miss Dixon), said "he voted for her because he believed the claim of the Catholics was a strong one," and the Hon. Somerset Ward, a Protestant, said "he voted for her because she was best qualified for the position"; and whether, considering that the voting was equal and the Chairman gave his casting vote for the Protestant, he will cause inquiry to be made into the matter, with a view of having the present election annulled?

\*MR. JACKSON: The Local Government Board for Ireland have received a representation of the nature mentioned in the first paragraph. It appears that of the 21 children at present in the Workhouse school, 15 are Roman Catholics and 6 are of other denominations. I have no official information in regard to the observations attributed to the two Guardians mentioned. The Chairman of a Board of Guardians has no casting vote; but the Chairman gave the vote to which he was entitled as a Guardian to Miss McGifford. As the proceedings at the election were legal and formal, and as the inquiries of the Local Government Board in regard to the elected teacher are satisfactory, there is no ground for interference on the part of that Board.

#### THE WEARING OF PRISON CLOTHES.

MR. ROWNTREE (Scarborough), on behalf of Mr. JOHN ELLIS (Nottingham, Rushcliffe): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland what number of prisoners in Irish prisons sentenced to imprisonment after conviction on indictment were, on the 30th April, 1892, wearing prison clothes, and what number were permitted to wear their own clothes?

\*MR. JACKSON: With reference to this question, I find that since the

alteration was made in the prison rules in 1889, 179 prisoners have applied for, and been granted, permission to wear their own clothes. There were in the year ended 31st March, 1890, 105 applications; 31st March, 1891, 58 applications; 31st March, 1892, 14 applications; and in the month of April, 1892, two applications; making a total of 179. But by the wording of the question, the question is limited to "prisoners sentenced to imprisonment after conviction on indictment." Of such prisoners there were in custody in Irish prisons on 30th April, 1892, 471. From these prisoners only one application was received, and it was granted.

MR. TIMOTHY HEALY (Longford, N.): Who was that one—a fraudulent stockbroker?

MR. H. H. FOWLER (Wolverhampton, E.): May I ask the right hon. Gentleman if there was only one prisoner? Will the right hon. Gentleman lay the Report from the Irish Prison Commissioners before the House stating whether the relaxation in the case of this one prisoner was made on account of the nature of the crime or the social position of the prisoner?

\*MR. JACKSON: I have no objection to lay the Report on the Table, but I imagine the answer would be that neither of the reasons stated by the right hon. Member was the right one.

MR. H. H. FOWLER: Then I would ask the reason why in this case the Prison Rules were relaxed?

\*MR. JACKSON: The right hon. Member appears not to be aware of the Rule with respect to which relaxation is granted. I stated it at length recently. The Rule provides that permission may be granted where the Prison Commissioners are of opinion, expressed in writing, that the wearing of the prison clothes is not desirable for the purposes of health and cleanliness. I stated further that in all cases where application had been made under this Rule permission had been granted.

MR. MAC NEILL: Is the right hon. Gentleman aware that before the Rule was made, while the Belfast forgers were allowed to wear their own clothes when conveyed after conviction from Dublin to Derry, Irish Members imprisoned were stripped naked?

*Mr. Jackson*

\*MR. JACKSON: I do not see how the remark of the hon. Member arises out of the question. I am asked as to what has happened since the Rule has been in force.

#### ADVANCES BY THE IRISH BOARD OF WORKS.

MR. HARRISON (Tipperary, Mid.): I beg to ask the Secretary to the Treasury what sums are now available in the hands of the Board of Works for such advances as are authorised to be made to companies and occupiers of land by the 31st section of the Land Law (Ireland) Act of 1881?

SIR J. GORST: The amount now available is £680,000.

#### BELFAST POSTAL DELIVERY.

MR. T. W. RUSSELL (Tyrone, S.): I beg to ask the Postmaster General why, since the acceleration of the arrival and delivery of the English mails in Belfast, there is no delivery of local letters outside a half mile radius from the General Post Office from the first delivery at 7 a.m. until the delivery at 4.30 p.m.; and why letters received from Londonderry and the North at the General Post Office at 11.15 a.m. are not delivered outside the half mile radius until 4.30 p.m.?

\*SIR J. FERGUSON: The present delivery of letters at Belfast are at 7 a.m. (general); 10.20 a.m. (general); 12.30 p.m. (restricted); 4.15 (general); 8 p.m. (general). The 10.20 a.m. delivery includes local letters as well as the English and Scotch night mail letters *via* Holyhead, and Stranraer. The 12.30 p.m. delivery is restricted to the central portion of the town and letters, therefore, received at 11.15 a.m. for places outside that portion have hitherto been delivered at 4.15 p.m. A revision is now under consideration for making the 12.30 delivery general like the rest, and the above letters will then be distributed by it.

#### LONDONDERRY TELEGRAPHIC STAFF.

SIR T. ESMONDE (Dublin County, S.) (for Mr. JUSTIN MCCARTHY, Londonderry): I beg to ask the Postmaster General why the increase of clerical force of three second-class

telegraphists, sanctioned in July, 1891, in the Londonderry Telegraph Department, has not yet been carried out; whether complaints have reached him that the present staff is inadequate to do the work required of it; and whether the telegraphic business of the district suffers delay in consequence?

SIR J. FERGUSON: No such sanction was given in July, 1891, but I lately decided to add three to the staff in question, which will be done as soon as the necessary forms have been gone through. No complaints from the public of unsatisfactory service have reached me.

#### WOODFORD AND WHITEGATE POSTAL SERVICE.

MR. W. ABRAHAM (Limerick, W.) (for Mr. McDERMOTT, Kilkenny, N.): I beg to ask the Postmaster General, with reference to the improvement of the postal communication between Woodford and Whitegate, whether he is aware that the people of the district are of opinion that the additional cost of giving the extension required, would be amply covered by the increased number of letters which such extension would bring; and whether, considering the great inconvenience to the district of the present system, he will consider the desirability of giving the proposed extension a trial for at least one year?

SIR J. FERGUSON: I regret to say that the reports made to me show that the receipts would be altogether incommensurate with the cost, and I am therefore unable to give the service desired.

#### WRONGFUL ASSUMPTION OF "M.A." DEGREE.

MR. COBB (Warwick, S.E., Rugby): I beg to ask the Secretary of State for the Home Department whether the attention of the Lord Chancellor has been called to the public scandal which has been caused by its having recently become generally known in the neighbourhood of Ross that the Reverend Edward Burdett Hawkshaw, the Chairman of the Ross Bench of Justices, wrongfully assumed, during 18 years, the title and hood of a Master of Arts of Oriel College, Oxford,

although he was in fact only a Bachelor of Arts, and so conducted the services, and administered the Sacraments of the Church; whether he is aware that the Bishop of Hereford discovered this upon the collation of the Reverend Edward Burdett Hawkshaw to the prebendal stall of Nonnington, in Hereford Cathedral, for which a Bachelor of Arts is not eligible, and compelled him to take the degree of Master of Arts; whether one of the canons of the Church prescribes the punishment of suspension for the offence of conducting the services and administering the Sacraments in a University hood of a higher degree than that which the clergyman possesses, and such an offence is also punishable under the statutes of the University of Oxford; and whether if, upon inquiry, these facts are found to be correct, the name of the Reverend Edward Burdett Hawkshaw will be removed from the Commission of the Peace?

MR. MATTHEWS: I have no information as to the various allegations in the question. I have drawn the attention of the Lord Chancellor to them, and I learn from him that he has caused inquiry to be made.

#### EDUCATION OF SOLDIERS' CHILDREN.

SIR T. ESMONDE for Mr. ARTHUR O'CONNOR (Donegal, E.): I beg to ask the Financial Secretary to the War Office whether the Queen's Regulations for 1881, which allowed a soldier, on conscientious grounds, to send his children to a certified efficient civil school instead of the regimental or garrison schools, have been altered this year, so as to deprive the Catholic soldiers and their children of religious liberty in the matter of education, and compel all warrant officers, non-commissioned officers, and men to send their children to the school of the corps or garrison, except where, "with a view to obtaining a higher class education," the children are permitted by the General Officer commanding to attend a civil school?

THE FINANCIAL SECRETARY, WAR OFFICE (Mr. BRODRICK, Surrey, Guildford): The Army Order referred to was issued two years ago, and it does require that soldiers shall send their children to the corps or

garrison school. It was found that their going to civil schools did, to an appreciable amount, involve the risk of introducing infectious disease into barracks; but the main reason for the order was that, as soldiers frequently move from station to station, it was indispensable that their children should be educated on a uniform system. Army schools being all under one management secured this, while the latitude allowed to the managers of civil schools resulted in children taught in one school being frequently quite out of touch with the course in the school of another place. Army schools are altogether undenominational, and every facility is afforded for religious instruction being imparted by the ministers of the denomination to which the parents belong.

#### THE ENGLISH AND DUBLIN MAILS.

SIR T. ESMONDE (for Mr. ARTHUR O'CONNOR): I beg to ask the Postmaster General if he will take into consideration the very serious inconvenience and loss resulting to the people of the towns of Castlefin, Killygordon, Ballybofey, and Stranorlar, in County Donegal, from the fact that the English and Dublin mails which arrive in Strabane at 10.45 a.m. are not despatched from that place till 5.20 p.m., although a train leaves Strabane at 11.20, calling at all the above-mentioned towns, and actually conveying mails to places beyond?

SIR J. FERGUSON: This matter has already been under consideration, and arrangements are being made for the establishment of a mail to the places named by the 11.20 a.m. train from Strabane.

#### THE SKENE SCHOOL BOARD.

DR. FARQUHARSON (Aberdeenshire, W.): I beg to ask the Lord Advocate whether he is aware that the recent dismissal of the female teacher Miss Anderson, and the illegal appointment of the Chairman of the Board of Garlagie School, have created great dissatisfaction in the parish of Skene, Aberdeenshire; and whether the Scotch Education Department have received a petition, largely signed by ratepayers, protesting against recent proceedings in Garlagie School, and praying that the Department may end the difficulty

by themselves appointing a new Chairman of the Board?

\*SIR C. J. PEARSON: I understand that the recent dismissal of Miss Anderson, and the appointment of the Chairman of the Skene School Board, have been discussed in that parish. The Department have received a petition asking that another person than the present Chairman of the Board should be nominated as a member of the Board; and they have also received a petition from ratepayers in favour of the present Chairman continuing in office. As at present informed, I do not see that the case is one which calls for the interference of the Department.

#### POLYNESIAN LABOUR IN QUEENSLAND.

MR. SAMUEL SMITH (Flintshire): I beg to ask the Under Secretary of State for the Colonies whether, pending the receipt of the Bill passed by the Queensland Legislature for allowing the re-introduction of South Sea island labour to that colony, Her Majesty's Government will secure that the traffic shall not be re-opened; whether he will engage that the Papers relating thereto shall be laid upon the Table of the House before the Royal Assent is given to the said Bill; and whether he will lay upon the Table of the House the Report of Lord C. Scott, the Admiral of the Station, and that of Captain Davies, who has had a long experience in the Polynesian Islands?

\*THE UNDER SECRETARY OF STATE FOR THE COLONIES (Baron H. DE WORMS, Liverpool, East Toxteth): Since the hon. Member put his question on the Paper the Secretary of State has telegraphed to the Governor to ask whether he had assented to the Bill, and whether it is in operation. If it has been assented to, Her Majesty has only the power of disallowing the Act which has become law. The Secretary of State has further telegraphed that he trusts that the Colonial Government, if it is practicable, will delay issuing the licences under the Act until he has received and considered the measure and the safeguards with which it is doubtless surrounded. The Reports of the naval officers mentioned in the question shall be given with other

*Mr. Brodrick*

Papers bearing upon the subject. It may be satisfactory to the House that I should mention the fact that Polynesian labourers have been introduced under the existing regulations to Queensland in increasing numbers up to the beginning of last year, and I may state that in 1890, 2,459 labourers were so introduced, and that since the beginning of 1885 no case of kidnapping or of serious infringement of the regulations has, as far as we know, been brought under notice. It may, therefore, fairly be assumed that the regulations are sufficient if properly watched and enforced. And to this end the attention of both Her Majesty's Government and the Queensland Government will be steadily directed.

**MR. WINTERBOTHAM** (Gloucester, Cirencester): I wish to know whether the attention of the right hon. Gentleman has been called to the statement which appeared in the *Daily News* of Saturday, stating that the Melbourne Trades Council had resolved to appeal to Her Majesty the Queen to veto the Bill recently passed by the Queensland Government, promoting the re-introduction of South Sea island labour into the colony?

\***BARON H. DE WORMS**: No, Sir; my attention has not been called to the statement.

#### POLICE CONSTABLES AS FIREMEN.

**MR. SAMUEL HOARE** (Norwich): I beg to ask the Secretary of State for the Home Department whether an injury to a constable, while acting as a fireman, would be an injury received in the execution of his duty, so as to entitle him to a grant out of the Police Pension Fund, under the scale applicable to injuries received by a constable in the execution of his duty; and whether, if such is not the case, he will consider the hardship which may often arise, especially in the case of constables who are engaged on distinct terms to act from time to time as firemen?

**MR. MATTHEWS**: I am advised that except in cases where there is special provision on this subject in Local Acts—and there are many such Acts—a constable who is injured while acting as a fireman is not entitled to a grant

out of the pension fund under the scale applicable to injuries received by a constable in the execution of his duty. With reference to the second paragraph of the question, my hon. Friend will bear in mind that a constable is still entitled to a pension or gratuity on the ordinary scale. He is, therefore, in a better position than a fireman, who is not a constable and who receives no pension except in cases where it is provided for in Local Acts.

#### TELEGRAPHIC COMMUNICATION AT FENIT.

**SIR T. ESMONDE**: I beg to ask the Postmaster General what is the nature of the wayleave which prevents the opening of a telegraph station at Fenit, County Kerry, which is the port of Tralee; whether he is aware that fishing boats coming into the bay laden with fish have to send foot messengers seven miles to Tralee to get the light railway to run down a train to take off their freights of fish, in consequence of which unsatisfactory arrangement these freights of fish often miss connection with the Great Southern and Western Railway, and are damaged and sometimes destroyed; and whether, in view of the fact that the telegraph can be either taken along the main road from Tralee to Fenit, or along the line of railway, and further that the guarantee required by the Post Office has been long since obtained, a telegraph office at Fenit will be opened at once?

**SIR J. FERGUSON**: The difficulty is to come to terms with the Railway Company for the attachment of the wires to their poles, but I hope that this will be got over. To erect new poles along the road would cost much more. I do not know the circumstances mentioned in the second paragraph, but I know that the telegraph is much wanted.

#### ARDFERT TELEGRAPH STATION.

**SIR T. ESMONDE**: I beg to ask the Postmaster General what guarantee was required by the Post Office for the opening of the telegraph station at Ardfert, County Kerry; and whether the guarantors have ever been called



upon to make good any deficiency in the receipts of that office?

SIR J. FERGUSSON: The Telegraph Office at Ardfert was established about 20 years ago. At that time the system of guarantees had not been introduced.

#### LABOURERS' COTTAGES IN KILDARE.

MR. CAREW (Kildare, N.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland what is the cause of the delay in the erection of the labourers' cottages in the County Kildare portion of the Edenderry Union, the schemes for which have been approved and sanctioned more than two years since by the Privy Council?

\*MR. JACKSON: The erection of 32 cottages in the Edenderry Union has been authorised. Of these two have been erected, and a tender has been accepted for the building of one more. The Guardians have repeatedly advertised for tenders for building the remainder of the cottages, but considered those received to be too high. New plans for the further contract will, in all probability, be considered on the 14th instant.

#### THE ORDNANCE SURVEY.

MR. BUCHANAN (Edinburgh, W.): I beg to ask the President of the Board of Agriculture whether he will state to the House the terms of Reference to the Departmental Committee on the Ordnance Survey; and whether its Proceedings and Report will be made public?

\*THE PRESIDENT OF THE BOARD OF AGRICULTURE (Mr. CHAPLIN, Lancashire, Sleaford): The Departmental Committee to which the hon. Member refers has been appointed to inquire into a Report on the present condition of the Ordnance Survey, and especially to consider: (1) What steps should be taken to expedite the completion and publication of the new or revised one-inch map, with or without hills, of the British Isles; (2) what permanent arrangement should be made for the continuous revision and speedy publication of the maps ( $\frac{1}{250,000}$ , towns) 25 inches, six inches, and one inch scales; (3) whether the maps as at present issued satisfy the reasonable require-

*Sir T. Esmonde*

ments of the public in regard to style of execution, form, information conveyed, and price; and whether any improvement can be made in the catalogue and indices. I propose to lay the Report and Proceedings of the Committee upon the Table for publication as a Parliamentary Paper.

MR. BUCHANAN: Will the management of the Survey and the character of the managing staff be included?

\*MR. CHAPLIN: No, Sir.

MR. TIMOTHY HEALY (Longford, N.): Does the inquiry extend to Ireland?

\*MR. CHAPLIN: Yes.

MR. FRASER-MACKINTOSH: I beg to ask the President of the Board of Agriculture whether, in reference to his statement on 22nd February last, he has now received the Report of the Departmental Committee appointed to inquire into the grievances of those employed in the Ordnance Survey, and will lay it upon the Table?

MR. FRANCIS EVANS (Southampton) had notice of the following question:—To ask the President of the Board of Agriculture whether the Report of the Departmental Committee inquiring into the grievances of the Civil Servants of the Ordnance Survey has yet been completed; and, if so, whether the Report, together with the decision arrived at in relation thereto by the Board of Agriculture, will be laid upon the Table of the House before the Vote on the Estimates for the Survey comes under discussion?

\*MR. CHAPLIN: I will answer the question of the hon. Member for Southampton at the same time. I have received the Report of the Departmental Committee to which the hon. Member refers, and the recommendations it contains are now under consideration. I hope to be able to announce the decision before the Vote for the Survey in the Estimates comes under discussion, and in the meantime I will lay the Report on the Table.

MR. THOMAS ELLIS (Merionethshire): I beg to ask the President of

the Board of Agriculture whether he is aware of the dissatisfaction existing among Welsh scholars, geologists, and others, with regard to the inaccuracy and incompleteness of the place-names in the Ordnance Survey maps of Wales; and whether he will take steps to secure the aid and co-operation of Welsh scholars to ensure accuracy in the nomenclature of these maps?

\*MR. CHAPLIN: I was not aware of the existence of the dissatisfaction to which the hon. Member refers, and I am informed that every Welsh name appearing on the Ordnance Survey maps has, as a matter of fact, received the sanction of a competent Welsh scholar. I am quite aware, however, of the difficult and delicate nature of the subject, and will endeavour to ascertain whether the existing arrangements are capable of improvement. The question, I think, might with advantage be considered by the Departmental Committee now sitting, and I will bring the matter under the consideration of that Committee.

#### GIBRALTAR SANITARY COMMISSION.

MR. CAUSTON (Southwark, W.): I beg to ask the Under Secretary of State for the Colonies whether, in expressing his willingness to make certain concessions to the Gibraltar ratepayers, the Secretary of State for the Colonies made those concessions dependent upon the ratepayers assenting to the Chairman of the Sanitary Board being appointed by the Governor, and to the office of Engineer to the Board being held by the Colonial Engineer, *ex officio*, until the new drainage and waterworks are completed?

BARON H. DE WORMS: The Secretary of State informed the deputation of Gibraltar ratepayers that he was willing to make certain concessions on the understanding that further opposition to the recent Order in Council would be withdrawn; but that he could not agree to the repeal of the provisions of the Order vesting the appointment of the Chairman of the Sanitary Board in the Governor, and combining the offices of Colonial Engineer and Engineer to the Sanitary

Commissioners. He intimated, however, that the question of the separation of those offices might, if thought necessary, be again brought forward after the completion of the new drainage and waterworks.

MR. CAUSTON: I beg to ask the Under Secretary of State for the Colonies whether the Colonial Engineer at Gibraltar, when acting as Engineer to the Sanitary Commissioners, was in 1886 removed from the latter office by the Governor, which decision was approved and confirmed by the then Secretary of State; and whether he will state the reasons given for removing him from such office?

BARON H. DE WORMS: In 1886 the then Governor of Gibraltar recommended the separation of the two offices referred to, and his recommendation was approved by the then Secretary of State. The reasons assigned by the Governor were that, in his opinion, the duties of the two offices were rather conflicting, and their combination led to inconvenience, and that he was not satisfied with the manner in which the duties of Engineer to the Sanitary Commissioners were performed by the Colonial Engineer. These reasons have been fully reconsidered, and the Secretary of State has arrived at the present decision with the full concurrence of the present Governor, and in accordance with the recommendation of Major Tullock.

MR. M'LAGAN (Linlithgow): I beg to ask the Under Secretary of State for the Colonies if he will inform the House of the decision the Secretary of State arrived at, on the circumstances placed before him, with regard to the conduct of the official at present holding the post of Colonial Engineer at Gibraltar, which has on two occasions—1885 and 1890—been brought officially to the notice of the Secretary of State for the Colonies?

BARON H. DE WORMS: On the first of the two occasions referred to the Secretary of State, Lord Derby, arrived at the conclusion that a charge made against the officer in question, while acting in another capacity, had not been proved. On the second

occasion the Secretary of State directed him to be reproved for an act of irregularity, not connected with his office and not derogatory to his character.

SIR T. ESMONDE: I beg to ask the Under Secretary of State for the Colonies whether it is a fact that, after the Colonial Estimates (Gibraltar) for 1892 were published for general information, a Supplementary Estimate was prepared but not made public, by which, among other things, the salary of the Colonial Secretary was increased; and whether the community of Gibraltar, which contributes nearly £60,000 a year by local taxation, has any voice in the expenditure thereof?

BARON H. DE WORMS: The salary of the Colonial Secretary was increased by direction of the Secretary of State from 23,060 pesetas to 25,000 pesetas—roughly £65—when the Estimates for 1892 were sanctioned, as he considered it desirable that the remuneration of that officer should be placed on a level with that of other officials at Gibraltar whose duties were not of so responsible a character. The revenue of Gibraltar derived from taxation, other than port dues, which are paid by the shipping, amounts to between £14,000 and £15,000 a year, of which a considerable part is paid by the garrison. The hon. Member has probably included in the £60,000 port dues, rents of Crown property, postal revenue, and other items which cannot properly be classed as taxation. The public expenditure is under the direct control of the Secretary of State for the Colonies.

SIR T. ESMONDE: I beg to ask the Under Secretary of State for the Colonies whether it is a fact that a Government employee, on full pay of the active list, is also employed by the Anglo-Egyptian Bank in Gibraltar as manager of its Gibraltar Branch; and whether the circumstance has been previously brought to the notice of the Colonial Office, and what was the decision of the Secretary of State thereon?

BARON H. DE WORMS: The circumstance referred to was brought to the notice of the Secretary of State. The gentleman alluded to undertook the joint managership of the Branch of

the Anglo-Egyptian Bank as an incident to the administration of a trust estate, and could not relieve himself of it without injury to those for whom he is trustee; and the Secretary of State, upon the strong recommendation of the Governor, decided in these circumstances to allow the arrangement to continue as a wholly exceptional case, by which the gentleman in question gives his services to the Bank after office hours.

#### THE CORK AND AMERICAN MAILS.

DR. TANNER (Cork Co., Mid): I beg to ask the Postmaster General whether it is proposed by his Department to take any further steps to promote the acceleration of the Cork and American mails *via* Cork?

SIR J. FERGUSSON: As I have already stated, this matter will be re-considered along with other mail improvements which are desired in various parts of the country, and which were not provided for in the present Estimates because the expenses of the Department had already been largely increased.

DR. TANNER: Is it a fact that it is only a matter of £3,000?

SIR J. FERGUSSON: It is only a matter of a few thousands in the present case, but this case is joined to others.

DR. TANNER: Is the right hon. Gentleman aware that the Great Southern and Western Railway has expended upwards of £100,000 at Queenstown in the endeavour to provide proper accommodation for the landing of the mails at the railway. Seeing this is a matter of the greatest importance to Ireland will the Government endeavour to take steps to relieve the deadlock?

SIR J. FERGUSSON: I cannot go further than I have done.

#### THE MIDLAND RAILWAY COMPANY AND ST. PANCRAS.

MR. WEBSTER (St. Pancras, E.): I beg to ask the Secretary of State for the Home Department whether his attention has been called to the Midland Railway Act (ch. xxxix.), 1889, which gives that Railway certain

powers to acquire land in the Borough of St. Pancras, subject to a provision inserted (on representations made by the Home Office) placing restrictions on the Company in regard to displacing persons of the labouring classes; whether he is aware that, whilst large numbers of the inhabitants of the district have been evicted from their dwellings under this Act, to their inconvenience and to the consequent loss of the trade of the locality affected, no steps have up to the present been taken to re-construct artisans' dwellings under Clause 31 of this Act; and if he will cause inquiry to be made into the subject?

MR. MATTHEWS: Under the Midland Railway Act of 1889, to which the hon. Member refers, the Railway Company only acquired power in the parish of St. Pancras to take a portion of the churchyard, and the statements in the question are not relevant to proceedings under that Act in the parish of St. Pancras. By the Midland Railway Act of 1890 the Company did take powers to acquire houses in the parish of St. Pancras in the occupation of the labouring classes, but the Company have not cleared, or caused to be cleared, any of the houses referred to, and have done nothing, and will do nothing, in that direction pending the erection of artisans' dwellings. In accordance with the Act, the Company have for this purpose submitted a scheme which, after careful examination, I caused to be amended in certain particulars. Thus amended, the scheme has been submitted by the Company for my approval, and I have every hope that proceedings to give effect to it will be commenced at an early date. I am not aware of any circumstances calling for inquiry.

MR. WEBSTER: May I ask the right hon. Gentleman whether, from his reply, I understand rightly that all the clearances have been done by private individuals, and not by the Midland Railway Company?

MR. MATTHEWS: That is exactly what I intended to convey.

#### VOLUNTEERS AND HONORARY MEMBERSHIP OF CLUBS.

SIR W. LAWSON (Cumberland, Cocker-mouth): I beg to ask the Secre-

tary of State for the Home Department whether his attention has been called to the notices issued to the Volunteers attending the Easter Manœuvres in Chatham last month, stating—

“Volunteers in uniform will be made honorary members of the following Clubs during their visit on furnishing their names and rank to the respective Secretaries: Liberal Club, Castle Hill, Rochester; Conservative Club, Star Hill, Rochester; Workmen's Institute, Chatham; Reform Club, Military Road, Chatham”;

whether he is aware that large numbers of Volunteers entered the said Clubs, and were supplied with intoxicants, in many cases without giving any name or address; and whether the action of the said Clubs is a violation of the laws regulating the sale of intoxicating liquors?

MR. MATTHEWS: Even assuming the facts to be as stated in the question, I am unable to see that there has been any violation of the law in reference to the sale of intoxicating liquors.

SIR W. LAWSON: Are these Clubs allowed to sell to anyone?

MR. MATTHEWS: The question states, and I believe accurately, that Volunteers were made honorary members of the Clubs. That was undoubtedly a *bonâ fide* proceeding in this case. These honorary members are as much entitled to buy intoxicating liquors as are members of the Diplomatic Corps to buy a bottle of wine at the Athenæum.

MR. WEBSTER: May I ask the right hon. Gentleman whether he is aware that there are a large number of *quasi* Clubs in London where the entrance fee is purely nominal, and where the members entering are practically elected by the hall porter? Has the right hon. Gentleman any information as to these Clubs, and, in the interests of temperance, will he cause inquiry to be made?

MR. WINTERBOTHAM: Did the right hon. Gentleman quite grasp the fact that these honorary members were admitted without their names being submitted as honorary members? and does he really mean to compare that with the action of the Athenæum or any other London Clubs?

MR. MATTHEWS: Certainly the Volunteers in the Clubs were in uniform. I do not think it is within the range

of practical possibility that a toper should provide himself with a uniform in order to get drunk.

MR. MORTON (Peterborough): Is it possible for persons to be made honorary members of a Club without their names being inscribed in the books in some way?

MR. MATTHEWS: That is a question for the secretary of the Club.

MR. LABOUCHERE (Northampton): Is it possible for any of these small Clubs to make the whole British Army members?

MR. MATTHEWS: I tried in my original answer to draw a distinction between a *bona fide* Club and nominal membership of bogus Clubs, such as those referred to by my hon. Friend behind me. The distinction is one of fact, and in some cases may not be very easy to draw, but in this case the Clubs were really within their right.

MR. WEBSTER: Has the right hon. Gentleman any means of inquiry as to the number of bogus Clubs at present existing in London?

MR. MATTHEWS: I have at various times made inquiry not only in London, but in other parts of the country. If the hon. Member will supply me with a satisfactory definition of bogus Clubs, I shall be extremely grateful to him.

SIR W. LAWSON: Would policemen in uniform be allowed to become honorary members?

[No answer was given.]

#### PENSIONS TO MEDICAL OFFICERS.

SIR J. LUBBOCK (London University): I beg to ask the Secretary to the Treasury whether the seven-sixtieths hitherto added to the pensions allowed to medical officers has been withdrawn; and, if so, from what date such change would come into effect?

\*SIR J. GORST: In the case of all appointments made to professional offices in the Civil Service since 30th November, 1888, the Treasury Minutes entitling the holders to retired allowances above the rate of one-sixtieth of the salary for each complete year of service have been suspended; and if Parliament should take away the power to grant such special rates of pension, no

officer appointed since the date named will receive on retirement the benefit of additional years.

#### JUDGMENT SUMMONSES.

MR. HARRISON: I beg to ask the Attorney General what number of judgment summonses were heard before His Honour Judge Abdy at Waltham Abbey on Wednesday, 20th April, and what number of committals were made, and the reasons for each committal, and what time was occupied by the business; whether he is aware that a carpenter named Field was committed by the Judge for six weeks unless the whole of the debt, over £2, was paid in 14 days, although the evidence showed that Field had been out of work, and was still out of work at the time of hearing, and what evidence, if any, there was of means; whether his attention has also been drawn to the case of a debtor named Matthews, a machinist at the Royal Small Arms Factory, Enfield, who was committed for six weeks in default of paying two instalments on a judgment order amounting to £4, although he had paid £2 on such order, and during the month of March it was proved that Matthews' wages since such payment of £2 were £1, 15s., 16s., 6s., and an additional sum of 12s.; whether he is aware that Matthews' debt was for costs in a libel action, in which he had succeeded in getting a verdict of £100 and costs against the publisher of such libel, but had failed against the printer, and that Matthews had failed to get a farthing either of such damages or costs; and on what grounds such a heavy order was made against Matthews, and the reasons for his committal, or what evidence of means was given other than those stated?

THE ATTORNEY GENERAL (Sir B. WEBSTER, Isle of Wight): I am informed by the learned County Court Judge that on the occasion in question there were four judgment summonses for hearing, occupying about twenty minutes. In two of the cases the defendants bore the names mentioned in the hon. Member's question, and one of them had been previously heard by

*Mr. Matthews*



the learned Judge, on which occasion both parties had been represented by professional advisers. In both the cases the learned Judge was satisfied by the evidence before him that the defendants had had, since the date of the judgments, means with which they might have satisfied the debts, but had neglected to do so.

#### EXCHANGE OF CONSOLS FOR LAND STOCK.

SIR T. ESMONDE: I beg to ask the First Lord of the Treasury if the National Debt Commissioners have been authorised by the Treasury to give Consols in exchange for Land Stock to the extent of five millions; and, if so, when the exchange will be made?

THE FIRST LORD OF THE TREASURY (Mr. A. J. BALFOUR, Manchester, E.): The Treasury have authorised the National Debt Commissioners to give Consols in exchange for Land Stock to the amount of five millions. The exchange will be made from time to time whenever Stock is presented. I regret to say, though nearly half a million of advances have been applied for under the Act of 1891, there is no immediate chance of Land Stock being required unless special machinery is provided for clearing away the arrears under the Ashbourne Act, which are still outstanding.

MR. TIMOTHY HEALY: Will the right hon. Gentleman say whether the Land Stock is to be at the rate of 100 or 96 according to legal decision?

MR. T. W. RUSSELL: Is it proposed to take any steps to bring up those arrears under the Ashbourne Act? I understand that there are cases as far back as 1887 which have not yet been settled?

MR. A. J. BALFOUR: As to the question asked by the hon. and learned Member (Mr. T. M. Healy) notice must be given, as I am not familiar with the legal point raised. With regard to the other question submitted by the hon. Member opposite (Mr. T. W. Russell), my right hon. Friend the Secretary to the Lord Lieutenant is engaged considering what steps can be taken to deal with this matter.

VOL. IV. [FOURTH SERIES.]

MR. TIMOTHY HEALY: Cannot the right hon. Gentleman say at what rate the National Debt Commissioners will treat the Stock which an Irish Judge said is only worth 96?

\*THE CHANCELLOR OF THE EXCHEQUER (Mr. GOSCHEN, St. George's, Hanover Square): The learned Judge would not say so to-day. To-day the price of Consols is 97, not 96. Whatever the price is, Stock for Stock is the basis on which exchange will take place. The arrangement is made perfectly clear by the Act.

MR. TIMOTHY HEALY: Are we to understand, then, that for 100 only 96 or 97 are to be given?

\*MR. GOSCHEN: A nominal £100 of Consols will be given for a nominal £100 of Land Stock.

#### THE COMMITTEE ON PARLIAMENTARY REPORTING.

MR. MORTON: I beg to ask the First Lord of the Treasury whether he has yet arranged to appoint the Committee to consider the question of Parliamentary reporting?

MR. A. J. BALFOUR: I hope the Committee will be appointed in a day or two.

#### THE NEWFOUNDLAND CONVENTION.

MR. FRANCIS EVANS: I beg to ask the Under Secretary of State for Foreign Affairs whether he will lay upon the Table the Correspondence which has passed between Her Majesty's Government and the Government of Newfoundland, respecting the proposed Convention recently agreed to between the Governments of the United States and of Newfoundland?

BARON H. DE WORMS (who replied): The Report will be issued as soon as possible.

MR. FRANCIS EVANS: Arising out of that question, I beg to ask whether the right hon. Gentleman can inform me if the Convention between the Newfoundland Government and the United States has received the assent of Her Majesty's Government?

BARON H. DE WORMS: That is a question for the Foreign Office.

MR. FRANCIS EVANS: I give notice that I shall put the question down to-morrow.

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## BOROUGH BOUNDARIES.

MR. W. H. CROSS (Liverpool, West Derby): I beg to ask the Secretary of State for the Home Department whether any Petitions have been presented under the Municipal Corporations Acts, 1859 and 1882, for the alteration of the number or boundaries of the wards of a borough; and, if so, whether he can state the names of the boroughs by which such Petitions have been presented?

MR. MATTHEWS: I think my hon. Friend will find the information he desires in the Index to the Statutory Rules and Orders in force in January, 1891.

## POLICE ON SIR GEORGE COLTHURST'S ESTATE.

DR. TANNER: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether it is a fact that the police, hitherto stationed in the old barracks on the estate of Sir George Colthurst, Baronet, in Ballyvourneg, County Cork, have been removed from thence to a new hut at Ballymakeery, outside the estate; and, if so, for what reason?

\*MR. JACKSON: The Constabulary authorities report that the change mentioned in the question has been rendered necessary owing to the barracks being damp and unhealthy. I understand there is no other house available.

DR. TANNER: Is it not the case that the police have been removed in consequence of being boycotted by Mr. Jeremiah Hegarty, of Millstreet, who refused to give them the right to take turf on the estate?

\*MR. JACKSON: I think the police are well able to take care of themselves.

DR. TANNER: Is the right hon. Gentleman aware of the fact that these policemen, who have been taking charge of the office of Mr. Hegarty, have repeatedly requested the Dublin Castle authorities to relieve them from such duties on account of the friction existing between them and Mr. Hegarty.

[No answer was given.]

## CORK LUNATIC ASYLUM.

DR. TANNER: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether, having considered the attitude assumed by the Governors of the Cork Lunatic Asylum against the Board of Control and against the decision given as regards visiting physicians, he purposes taking any steps to prevent further trouble in the interests of the Institution in question?

\*MR. JACKSON: The Board of Control report that every effort has been made to discharge the duties which are by law cast upon them without giving any reasonable cause for friction with the Governors of the Cork Asylum.

DR. TANNER: Will any steps be taken?

\*MR. JACKSON: I think not.

## POLICEMEN AND THEIR VOTES.

MR. PATRICK O'BRIEN: I beg to ask the Secretary of State for the Home Department whether the Regulations of the Metropolitan Police Force prohibit constables from recording their votes in Vestry or other elections while on duty; whether constables were punished recently for voting in a Vestry election at Walthamstow, although they were on duty in the immediate vicinity of the polling station, and were not therefore absent from their beat; and whether he will cause such an alteration of the Police Regulations as will allow all constables entitled to the franchise to exercise it without fear of punishment?

MR. MATTHEWS: The answer to the first and second paragraphs of the question is in the negative. Circumstances might arise which would prevent constables recording their votes at the polling station at which they would be entitled to vote, but in such cases the constables have the benefit of the 2nd section of the Police Disability Removal Act of 1887. As there are no Police Regulations prohibiting constables from voting while on duty, and as no constable or constables have been punished for voting, no action on my part is necessary.

## ENGLISH COLLEGE GRANTS.

SIR J. LUBBOCK: I beg to ask the Chancellor of the Exchequer whether the Government intend to propose any additional grant this year to the English Colleges?

\*MR. GOSCHEN: I regret that the margin of revenue over expenditure in the present year does not permit me to propose any addition to the grant for the English Colleges. I hope, however, that another year it may be possible to make an addition to the grants.

MR. JOSEPH BOLTON (Stirling): Can the right hon. Gentleman say whether an equivalent increase will be made to the Scotch Colleges?

\*MR. GOSCHEN: I do not think that the footing of the Scotch Colleges is analogous to that of the English.

## BUSINESS OF THE HOUSE.

DR. FARQUHARSON (Aberdeenshire, W.): I beg to ask whether the ordinary business of the House will be suspended to-night at eleven o'clock in order to afford an opportunity for the discussion of the various Motions with regard to the Scotch University Commission?

THE FIRST LORD OF THE TREASURY (Mr. A. J. BALFOUR, Manchester, E.): I am not aware that there has been any change since my last answer to a question on this subject. What I said was that I quite recognised the desirability of, if possible, commencing the discussion at an earlier hour than twelve, but I could not promise to do so unless we made good progress with the Small Holdings Bill. If we do that, I shall be prepared to move the adjournment of the Committee soon after eleven o'clock. But the hon. Gentleman will see that the Government have only power over the Government Orders of the Day; and that, unless there be an understanding that the forty odd Bills down in the names of private Members should not be taken, there will be an almost insuperable difficulty in the way.

MR. CAMPBELL-BANNERMAN (Stirling, &c.): There might have been a notice of Motion on the Paper to the effect that the subject of these Ordinances be taken after the first Order of the Day, because it is absurd to sup-

pose that we can run the gauntlet of 66 Orders of the Day with any prospect of getting to the discussion of the Scotch Universities question after twelve o'clock. I therefore appeal to the right hon. Gentleman to say whether he could not now make some other arrangement?

MR. A. J. BALFOUR: If good progress is made with the Small Holdings Bill I should be willing to stop that Bill on an Evening Sitting in order that the Scotch Universities question may be discussed. That, however, seems a course hardly practicable to-night. But perhaps hon. Members would prefer a brief discussion at the Morning Sitting to-morrow, and in that case we might adjourn consideration of the Small Holdings Bill at twenty to six o'clock. There would, in that case, be a discussion of at least an hour.

MR. J. MORLEY (Newcastle-upon-Tyne): On this subject I would suggest that it is possible, with the consent of the House, to now make a Motion postponing other Orders in favour of this. Perhaps, Mr. Speaker, you will tell me whether I am in order?

MR. SPEAKER: If it is the general wish of the House the First Lord of the Treasury can doubtless make such a Motion.

MR. A. J. BALFOUR: Well, with the consent of the House, I shall be glad to move—

"That the several Notices of Motion relating to the Scottish Universities Commission Ordinances have precedence this day of all Orders of the Day and Notices of Motion subsequent to the first Order of the Day."

Motion agreed to.

MR. LABOUCHERE (Northampton): Do we understand that the arrangement holds good that as soon as the Small Holdings Bill is through Committee the Irish Local Government Bill will be taken?

MR. A. J. BALFOUR: That is the view of the Government. The only conceivable doubt is with reference to the Budget proposals, which have been postponed partly because my right hon. Friend the Chancellor of the Exchequer (Mr. Goschen) was not able to be in his place, and partly because the right hon. Gentleman the Member for Derby (Sir W. Harcourt) could not make it convenient to be present at the be-

ginning of this week. With that exception the Order will stand as the hon. Gentleman has suggested.

MR. SEXTON (Belfast, W.): May I ask the right hon. Gentleman whether the Irish Education Bill will follow the Irish Local Government Bill?

MR. THOMAS ELLIS (Merionethshire): I should like to ask whether Supply will be taken this Session?

MR. A. J. BALFOUR: Yes, Sir, I hope so. As to the Education Bill, I can give no answer respecting that until we see how we are getting on with the Bills I have already mentioned.

### ORDERS OF THE DAY

#### SMALL AGRICULTURAL HOLDINGS BILL.—(No. 183.)

COMMITTEE. [*Progress 11th April.*]

Considered in Committee.

(In the Committee.)

Clause 1.

\*MR. SEALE-HAYNE (Devon, Ashburton): I beg to propose the following Amendment:—

In page 1, after line 13, insert—"And the Local Government Board may, by a Provisional Order, authorise a County Council to take compulsorily any land referred to in such Order for any term not exceeding 99 years, at a rent and subject to terms and conditions to be determined in case of difference by arbitration in the manner prescribed for determining a question of disputed compensation by the Lands Clauses Consolidation Act, 1845, and the Acts amending the same, which shall apply as if such compulsory taking for a term of years were a purchase of land otherwise than by agreement."

I do not propose to detain the House by making a long addition to what I had an opportunity of saying the other night. I desire now to call the attention of the House to the fact that this Amendment is not new. It has already been adopted in the Crofters Act and in an Irish Act passed in 1875 by a Conservative Government. Sir, we hear now a good deal about equal laws for England, Ireland, and Scotland. Well, I claim the same advantages for the agricultural classes of this country as are enjoyed by the Irish and the Scotch. Looking back to the Debate on the Allotments

Act, when I moved a similar Amendment to this, I find the chief objection taken to it was that it would be an injustice to the landlord. I differ entirely from that view. Instead of doing injustice to landlords, I believe that this Amendment would be welcomed by them. I admit at once that an injustice might be done to the landlord if it was proposed by compulsion to take a piece out of the centre of his estate, thereby, perhaps, ruining the amenities of that estate and reducing its value in the market. But, Sir, this Amendment proposes to do nothing of the kind. It simply proposes that the landlord shall do what in his pecuniary interest he is bound to do. He is bound to let his estate to someone, and this Amendment proposes that he shall let it to a good tenant—namely, the County Council, for the purpose of carrying out the objects of this Act. Well, Sir, the landlord can, by letting his estate to the County Council, introduce into the covenants provisions which may protect his rights; and I think, therefore, it is idle to object to such a very reasonable proposition as this on the ground that it would do any injustice to him. In my Amendment I propose that the maximum term shall be 99 years, but I am perfectly willing to give way on that point, and agree to reduce the maximum term to 40 or 50 years. There is no limitation in my Amendment to the ground to be taken, but I am ready to consent to any such limitation. My sole object is to make the Bill, if possible, of some use. The President of the Board of Agriculture (Mr. Chaplin), when he introduced this Bill, said it was a tentative measure. Surely, if that is the case, it would be better to try an experiment in a limited way by taking land on lease in the first instance; and, if that succeeds, then will be the time to introduce compulsory powers for the purchase of land outright. I believe, if the Government will only agree to this Amendment, this Bill may be of some practical use, instead of, as I consider it in its present condition, mere waste paper.

Amendment proposed,

In page 1, line 13, after the word "holdings," to insert the words—"And the Local Government Board may, by a Provisional Order, authorise a County Council to take compul-

Mr. A. J. Balfour

orily any land referred to in such Order for any term not exceeding ninety-nine years, at a rent and subject to terms and conditions to be determined in case of difference by arbitration in the manner prescribed for determining a question of disputed compensation by the Lands Clauses Consolidation Act, 1845, and the Acts amending the same which shall apply as if such compulsory taking for a term of years were a purchase of land otherwise than by agreement."—(*Mr. Seale-Hayne.*)

Question proposed, "That those words be there inserted."

THE PRESIDENT OF THE BOARD OF AGRICULTURE (*Mr. CHAPLIN, Lincolnshire, Sleaford*): Probably the hon. Member is aware that the Committee has already discussed the question of compulsory purchase, and has negatived the proposal. There is no need, therefore, to examine that subject again in detail. I cannot see that the Crofters Act and the Irish Act, to which the hon. Member has referred, afford any precedent whatever in support of this Amendment, which is one the Government are unable to agree to. It is obvious that its effect would be to place the landlord at a great disadvantage if he should desire to realise his property.

MR. FRANCIS STEVENSON (*Suffolk, Eye*): I hope the Committee will not refuse to accept the present proposal. It is of less magnitude than the previous one, and can be carried out without serious inconvenience to the owners of land generally. If it were proposed to give the County Councils power to purchase land compulsorily, it might be argued that they would render themselves liable for future contingencies for which future generations might refuse to be held accountable; but in a proposal of this kind, limited for 99 years, or for 40 or 50 years if the Committee wishes, the argument does not apply to the same extent. I do not see how the position taken up by the right hon. Gentleman would meet those cases in which land in different parishes is in the hands of one man, who is either unwilling or unable to sell in spite of Lord Cairns' Act, or of any Act of a similar kind. There may be a difficulty in the case of such an owner, either in regard to his family or on account of his trustees, which might render it impossible for him to

sell his land to the County Council. In such a case I think the landlord would welcome a provision of the kind now proposed.

\*COLONEL E Y R E (*Lincolnshire, Gainsborough*): I object to any proposal which directly or indirectly introduces the principle of compulsion. Hon. Members might, by referring to a book in the library of the House, see that out of 1,100,000 owners of land in England there are 850,000 persons holding less than one acre, and if they still further investigated the Return in question they would find that, in Lincolnshire—where I have the honour to represent a Division—there are no less than 30,000 holders of land, 15,000 holding from one to ten acres, and 10,000 holding from ten to fifty acres; and in one ringed fence in part of the Division out of 50,000 acres there is only one estate of 3,000 acres, the remaining 47,000 acres being in the hands of small owners and occupiers, men who, without the assistance of the State, have been enabled to purchase their own small holdings. I can assure hon. Gentlemen opposite that the result in my Division of the attempt to introduce the idea of compulsion has been to consolidate the votes in my interest, and I can safely say that the same feeling is spreading throughout the county of Lincolnshire, the reason being that the introduction of the principle of compulsion creates a feeling of insecurity. It was only the other day that an hon. Member who represents a Division of Northampton narrated to me the following incident: At one of his meetings a man suggested that a certain field was wanted for the agricultural labourers, and that it should be taken by compulsion. The owner who was present jumped up and said, "I brought up a family on this field, which I purchased myself, and I do not see what right any one has to turn me out of it." Well, what affects the small owner affects the large owner. In one town in my Division, representing 5,000 acres, there are no less than 260 owners and occupiers, of whom 160 are owners, and the average ownership, or "take," is something like 30 to 40 acres of land. If the principle of compulsion were inserted in this Bill, any man from any part of the world could



come and take up a lodging in the town or village and claim that these small holders should have their land taken from them. But, Mr. Courtney, there is another point which seems to me of importance. Will not the security of investments in land be affected if it is known that the County Council may take any portion of land over any part of the estate without consulting the mortgagee? Who are these mortgagees? Rich as well as poor men. Take the first class. Nearly 50 per cent. of the securities of the Life Assurance Companies is in mortgages on land, directly or indirectly through Land Improvement Companies. Let us go a step further, and take the Friendly Societies, and in particular the Manchester Order of Odd-fellows, with a capital of £7,500,000. More than half of that amount, which is the hard-earned savings of the working classes, is invested as mortgages on land. There are also schools, hospitals, charities, and trust money, all of which are affected by the security or insecurity of land. If their land is to be taken compulsorily, and the value of it thereby diminished, I scarcely think that the working classes throughout the country, who are members of those societies, will appreciate the efforts of hon. Members opposite. I merely mention these facts, because I consider them to be of considerable importance in the discussion of this matter; and I know, at the same time, from letters I have received, that I am speaking in the interest of a large number of small holders in my Division.

MR. SHAW LEFEVRE (Bradford, Central): I think the hon. Member need not be alarmed at the prospect of small holdings being taken for the purpose of creating small holdings. In that part of Lincolnshire represented by the hon. Member (Colonel Eyre) there are a large number of small holdings. But that is an exceptional case.

COLONEL EYRE: Small holdings exist all over England.

MR. SHAW LEFEVRE: I contend that the state of things in the Division represented by my hon. Friend is exceptional, and that in a great portion of England large ownership of land is the rule. In a great number of dis-

tricts it is totally impossible for small owners to obtain land by purchase. My own belief is that in nearly half the rural parishes of England the land in each parish belongs substantially to a single owner. That is the conclusion I have arrived at after careful consideration, and it is in these cases that the Bill will operate to the best advantage, and it will be precisely in these cases where there will be the greatest difficulty in getting land for the purposes of this Bill. Now, the House has refused to give compulsory power to purchase in fee, which I should have much preferred to the present proposal. We have therefore to fall back on something less than that, and I think it would be better that there should be included in the Bill power to take land for 99 years than that there should be no compulsion at all, and for that reason I shall support the hon. Member's proposal.

(5.0.) MR. JESSE COLLINGS (Birmingham, Bordesley): The hon. Gentleman who moved this Amendment (Mr. Seale-Hayne), in introducing his remarks, stated that in the absence of the present Amendment the Bill would be nothing more than waste paper. My opinion is that, whatever may be the value of the Bill as it stands, this Amendment is worse than useless. The compulsory leasing of land will destroy the whole character of the Bill and make it inoperative, and, indeed, make it so unpopular with the ratepayers on account of the risks involved that it would be practically a dead letter. Suppose this Amendment were adopted, what would it mean? In the first place, there must be a valuation and the law costs therein involved; and then the Local Authority, which represents the ratepayers, would obtain possession of the land, with all the costs of compulsory acquisition, for a term of fifty, sixty, or, it may be, ninety-nine years. The result would be that a Local Authority might become responsible for large tracts of land—that is, for the payments under the lease, and at the same time have no security that the rents would be paid, or, indeed, that the land would not be thrown on their hands. Then, again, with respect to buildings, the proposal would put an end to all possibility of the small holder

*Colonel Eyre*

having any buildings on his land, for, of course, the Local Authority, under a forty or fifty years' lease, cannot put up the buildings, knowing that at the end of the lease they would simply go into the hands of the landlord, and the tenant will not put up buildings for the same reason. In fact, what is being advocated now has all the evils of the leasehold system, which I thought was regarded with feelings of aversion by hon. Members on this side of the House. But another difficulty presents itself. Suppose the Local Authority acquires five hundred acres on lease, the land will have to be adapted to the small tenants; there will have to be a water supply, and various other expenses will necessarily be incurred. What will happen at the end of the forty or fifty years, when the lease expires? Will the landlord require that the land shall be put back in the same condition as it was when he leased it, or will the Local Authority simply have to lose all outlay made upon the land, and the tenant have to sacrifice his proportion in the way of what he has put into the land? I venture to say, in view of the expense that would be involved in acquiring land under this clause, and looking at the insecurity in the matter of compensation for improvements, and looking at the other drawbacks, that the clause would be a dead letter, and no Local Authority would be permitted by the ratepayers to involve itself in the enormous liability to loss this leasehold system would involve. The principle of this Bill is to create occupying owners of the land, and I hope the Government will stick to this principle. On the other hand, there is an attempt to turn this into a Bill for creating small tenants, and I hope the Government will not make this their leading idea, but will resist the Amendment, which I regard as most damaging to the main intention of the Bill.

(5.6.) MR. R. T. REID (Dumfries, &c.): I agree with the hon. Member for Bordesley (Mr. Jesse Collings) in thinking that the leasehold system is a very unfortunate one, and I think it would be a deplorable thing if that system were introduced into agricultural holdings. But the Amendment now before the House has been proposed

only to facilitate the letting of land on lease because we are unable to get facilities for taking the land in fee, and my hon. Friend's objections are valid to a certain extent, but only to a certain extent. The defect does not lie in the object of the Mover of the Amendment (Mr. Seale-Hayne), but in the unfortunate obstinacy of the Government, who refuse to give facilities for the compulsory acquisition of the freehold of the land. But I do not think this Amendment can be set aside, for that reason, and I shall vote for it. The hon. Member for Bordesley says that the task will be thrown upon the Local Authority of ascertaining the value of the fee simple; but the same task would be thrown upon the Local Authority if they were to buy the fee simple. Then he says that buildings will not be erected on the land under the leasehold system by the tenants. Buildings are now erected under the leasehold system of 99 years, and even a shorter term. It is deplorable, no doubt, that the tenants cannot get better tenure; but they are obliged to content themselves with the best they can get. The main justification of this Amendment is that in the course of a very few years this Bill will be made of value by having inserted the compulsory clauses which are now omitted. And whether that is done by the right hon. Gentleman the Member for Midlothian or the Member for West Birmingham, whichever it may be that will dictate the course of policy in the near future—for I believe they are both agreed on the principle of compulsion—it is desirable that, in the interval between the present time and the insertion of these compulsory powers, we should have the power of leasing land, and the leaseholders will then very easily be turned into freeholders.

(5.10.) MR. JOSEPH CHAMBERLAIN (Birmingham, W.): This Amendment raises two questions of the highest importance, but it raises them in a most inconvenient way. The two questions are whether there shall be compulsion in the application of the provisions of this Bill, and whether there should be leasing as well as, or instead of, the creation of absolute ownership. As regards the principle of compulsion, it appears to me that the House has

already decided that question, because all of us agree that if compulsion is to be employed at all, it would be much better to employ it in creating owner-ships than in creating leasehold tenancies. And, as the House has decided against compulsion in the former case *à fortiori*, it will so decide in this instance, and, in my opinion, will rightly decide. I would say to my hon. and learned Friend behind me (Mr. Reid), who anticipates, as I think I am a little inclined to do myself, that in the course of a few years the objections to compulsion will die away, and that some form of compulsion will be introduced, that his argument will not be answered by introducing now the inferior form of compulsion for leases. I am well aware that the former proposal was for the introduction of compulsion for the very important purpose of creating freeholds, and what this Amendment does is to raise the question in another form; but, having settled once the issue of compulsion, I think the majority of the House will have no doubt as to what course it ought to take. But I am very sorry that the Amendment is not moved in a form in which the House might have come to a decision upon it, as undoubtedly it contains another point quite separate and apart from compulsion, which is of the very greatest importance—namely, whether, as I have said, small holdings are to be created in the shape of tenancies as well as in the shape of owner-ships. I must say it appears to me that there is a good deal of confusion on this point amongst hon. and right hon. Members on this side of the House. I am sorry that the right hon. Gentleman the Member for Midlothian is not here.

A right hon. GENTLEMAN: He will be here.

MR. J. CHAMBERLAIN: I am glad of that, because the other night when he was speaking on the subject of compulsion he also spoke of leases, and he appealed to me saying he thought I might agree with him on that subject. I said I did not think I agreed with him at all; but I have come to the conclusion since, partly from having had a number of conversations with him, either that he did

not explain very clearly what he meant, or that I was not intelligent enough to understand it. I now understand that what my right hon. Friend wishes is to introduce into this Bill, in addition to the provisions that are already there, provisions for enabling the Local Authority after it has obtained possession of the land to be let on perpetual feu. All I can say is that to that principle I should give my adherence.

THE CHAIRMAN: Order, order! The right hon. Gentleman himself has said this discussion is raised in a most inconvenient form. The question is the acquisition of land by the County Council, and not what is to be done by the County Council in respect of the land which has been obtained. The discussion on that point will arise on Clause 3. It will be well that this discussion should keep to the point at issue.

MR. SEALE-HAYNE: I did not raise this discussion.

MR. J. CHAMBERLAIN: I agree, Mr. Courtney, as to the inconvenience; but I must point out how I think my remarks are in order and arise naturally out of the Amendment in its present form. It declares that the County Council shall have power to obtain land on lease for 99 years, or on periods of less than 99 years; consequently it is perfectly evident that, having obtained the land only on lease, it must let it on lease, and cannot sell it. If no shorter term than 99 years were mentioned it would be impossible for the County Council to sell to the small holders. Consequently, the whole question of leasing arises on this Amendment. I was saying that the proposal of the right hon. Gentleman was for compulsory feu, and that, I need not say, is not a question which arises on this Amendment, because this must be restricted to leasing and letting for a less term than 99 years. But there is another point on which we are in some doubt, and that is what amount of land is to be so leased. Does the hon. Member mean that the terms of his Amendment shall apply to all holdings, between one acre and fifty acres, this being the general limit of the Bill? If he intends only to apply this to small

Mr. Joseph Chamberlain

quantities of less than fifty acres, then I think the Bill already goes a long way to meet him, because it provides that the County Council shall have power to lease land up to ten acres. Therefore the only point between us would be whether that power should be extended up to fifty acres. That is the point that is raised by the Amendment. Is it desirable in this Bill to give power to the County Authorities to lease land in any quantity up to fifty acres, either on annual tenancies or on any term up to 99 years? This is a subject which was carefully considered by the Committee of which the hon. Gentleman himself was a member, and, unless I am very much mistaken, he voted in a sense which I should say was inconsistent with his present Amendment. The Committee came to the conclusion that if any Bill were to be brought in with these large provisions for creating small tenancies, one great object of the whole of this legislation would be entirely lost sight of—namely, the creation of a peasant proprietary. And, unless you get that, you lose entirely that sentimental feeling of possession which induces a man to put more work and more money into the land which is actually his own than he will into land which is not actually his own, which never will be his own, and which he only leases for a term of years. I would urge upon the House the importance of that consideration in this matter. You cannot let the land to these small holders at a price as low as the landlord can let it now, because if the landlord is willing to let at all, he is willing to let at two per cent. on his outlay; but if you are going to buy the land and then borrow money at 3 or 3½ per cent., and incur the various responsibilities which necessarily follow, you will have to let at a rate equivalent to 4 per cent. The only inducement to the small holder is that under this Bill he will be the actual owner of his land, and as the owner he can afford to put much more labour and energy into the land than he could afford to do if he were paying 4 per cent., and can make it pay much better. All that you might get in the shape of small ownerships you will lose entirely if you adopt a plan of small tenants. Another thing which was touched upon by my hon. Friend

behind me (Mr. Jesse Collings) is the enormous increase of risk to the ratepayers if you substitute tenancies of this kind for ownerships. Is it not perfectly certain that there will be fluctuations in seasons and prices, and periodically times will be bad? How is a popularly representative Local Authority to resist the pressure that will be brought to bear on it under these circumstances for a reduction of the rent? At such times the landlords will be reducing their rents; at times of pressure they invariably do reduce their rents, and if they are not compelled to do so they do so voluntarily. The Local Authority will be under compulsion to reduce the rents, and the example of the contiguous landlords will be brought to bear upon them to enforce the argument for reduction. Under these circumstances, and as a Local Authority will never be able to raise the rents, it is absolutely impossible that a transaction of this kind can be carried on without loss to the ratepayers. Perhaps you may be willing to face this; but the moment it becomes evident to Local Authorities that they cannot carry out the Bill without a loss of this kind, from that time they will cease to carry it out at all, and unless you are going to compel the Local Authorities to buy land, no Local Authority in the Kingdom will undertake any transactions under this Bill. Then we must look at the important question of improvements. If you make a small tenant the owner of the land, you get rid at once of all those complicated questions of tenants' improvements which must arise if he is to become a temporary occupier only. Although this House has been trying for a great number of years to arrange for some satisfactory scheme of compensation for improvements, I believe by common consent, it has failed, and I believe it always will fail. There is no satisfactory compensation for improvements possible, except the increased value a man may obtain on the sale of the land if he is himself the owner. That is another source of difficulty you are putting in the way of the creation of small holdings if you adopt a system of tenancies instead of ownerships. Then the question of buildings was referred to. I do not lay much stress



upon that; but, at the same time I believe that where a man is the absolute owner of the land, and has no landlord to consult, there is a probability that he will put up buildings, which, although they will not be as good as the landlord's, will be sufficient for the purpose of the tenant, and from time to time they will be improved; and, unless you leave the responsibility of providing these buildings to the tenant, the expense to the Local Authority of providing them will so enormously increase the risk, that there, again, you will almost make it prohibitory. The Amendment proposes that the Local Authority should have power to lease for any term less than 99 years, and my hon. and learned Friend behind me (Mr. Reid) said there were numberless cases in which persons had put up buildings on land which was held for 99 years. But that is assuming that the maximum term will always be the minimum term.

MR. R. T. REID: I have known buildings put up on much less than 99 years' lease.

MR. J. CHAMBERLAIN: I have known cases of forty years, and one case of 21 years, but I think that is an uncommon state of things. I am sure my hon. and learned Friend will agree with me, that if the lease is to be for a short term, say 21 years, there would be much more difficulty in the way of the tenant putting up the necessary buildings than if he were the absolute owner. I put before the Committee the objections which struck me as insuperable to the ideas contained in the Amendment. A great number of these objections, probably all of them, would not apply to such a proposal as I understand might be made by my right hon. Friend the Member for Midlothian. A proposal for a perpetual feu is, of course, a proposal for what is equivalent to a perpetual freehold. There are some advantages in favour of such a system, but I will not discuss them now. I see, also, some disadvantages, and I want to call the attention of hon. Members on this side of the House to the fact that it is not upon that we are voting now. If we must vote against this Amendment, we can vote against it without committing ourselves in any way to a general objec-

tion to the principle of a perpetual quit rent or feu; and we naturally object to the proposal in the Amendment, which, in its present form, will be absolutely unworkable.

\*(5.25.) MR. WINTERBOTHAM (Gloucester, Cirencester): I hope the Member for Devon (Mr. Seale-Hayne) will go to a Division, for now we have heard the Members for Bordesley and West Birmingham we understand what we are going to vote about. I will not follow the right hon. Gentleman into the question of what is to be done with the land when it has been obtained; first, because I prefer to follow your ruling, Mr. Courtney, and not his; and, secondly, because I believe it will be very much more convenient to deal with that subject under Clause 3. This Amendment aims solely at giving Local Authorities another means of obtaining land necessarily only for letting purposes. The hon. Member for Bordesley (Mr. Jesse Collings) said that he looked upon this Bill mainly and chiefly as an ownership Bill. We do not. Hon. Members who are going to vote against this Amendment regard this as a Bill mainly for the purpose of creating a yeoman farmer class. We look upon it, if it is to be of any value at all, chiefly as a means for allowing the Local Authorities to obtain land for the labourers, and this is a question we shall hear more about. The labourer does not generally want to buy the land. He cannot do it; he has not got the money to do it. He has told you so at your Congresses over and over again. If there are a few who are able to do it, by all manner of means let them become yeomen farmers. I know the agricultural labourers of the West Country, and they are not able to buy; but many of them are anxious to acquire land as tenants at a fair price and a fair tenure, and to put their little capital and their little savings into the land. The Member for Bordesley has stated the great difference of view between us quite accurately and fairly; and I am going into the opposite Lobby to him because I believe the labourers want to be tenants and not owners. This Amendment merely proposes an extra alternative. You do not prevent a County Council from buying land

*Mr. J. Chamberlain*



from a willing landlord; but there are many landlords in England who are unable or unwilling to sell their land because of the tenure, or because of the conditions of ownership, who may be perfectly willing to let land to the County Council on lease for 50 years, and they may be willing to insert clauses to give fair compensation for improvements, which, of course, if they are honest men, they ought to be anxious enough to do. The Member for West Birmingham (Mr. Joseph Chamberlain) spoke about the difficulties of estimating this compensation. That is, no doubt, a very vital question, but I do not think it arises on this clause. I could tell this House, if I were in order, of land sold last week in the Eastern Division of Gloucestershire, where the rent has been run up from £3 to £10 per acre, and is now sold by auction over the heads of the tenants, who have no claim for compensation or prolonged possession. If this Bill leaves the House without some better security for compensation than is suggested by the right hon. Member for West Birmingham, there will be very little encouragement for these poor labourers to put their hearts into the land. I also differ entirely from the right hon. Gentleman's statement that people can get land in the open market from willing landlords at a rental based upon a 2 per cent. profit on the landlord's capital. If that is what prevails in the neighbourhood of Birmingham I am very glad to hear it. I am well aware that many large farms are let, in certain districts, at an equivalent to 2 or 2½ per cent.; but I am aware of no district where landlords, however benevolent and well-disposed, are willing to let land in small lots to labourers at two per cent. on its value. I think it will be much better, therefore, for the County Councils to get this land, in many districts at prices which will give the landlords three per cent., on long leases, and the labourers will only be too glad to pay four per cent. to the County Council. This would avoid all risk to the ratepayers, and create a sinking fund, if you like, for the possible ultimate purchase of the land. We vote for this Amendment because it gives an extra alternative to the Local

Authority for acquiring land for letting in small portions, and we vote against the view of the hon. Member for Bordesley (Mr. Jesse Collings) that this is a Bill for creating yeoman farmers and owners only.

(5.32.) MR. W. E. GLADSTONE (Edinburgh, Midlothian): I feel very much, in conformity with what has dropped from the Chair, as to there being an inconvenience in discussing together two questions which are quite distinct, and each of which deals with a subject of sufficient magnitude to deserve separate attention. At the same time, after the remarks of the right hon. Member for West Birmingham (Mr. J. Chamberlain), I admit, when it is proposed to give a certain power to the Local Authorities to acquire land upon leases not exceeding 99 years, we cannot avoid in some degree taking into consideration the question whether, when they have got that land they can find useful employment for it? Now, Sir, my position is this. The Mover of this Amendment, I should think, in the abstract, is not at all satisfied with his own Amendment; that is to say, he is not satisfied with the limited sphere in which he, and I, and all of us are obliged to act. We wish to give powers under which the Local Authority would be able to make much more efficient arrangements; but being cribbed, cabined, and confined as we are, we are bound to make the best of the situation. The right hon. Gentleman opposite has made a concession, and an important concession, in promising when we reach the proper portion of the Bill to introduce the principle of renting land. That I admit to be a concession which we ought to welcome, and therefore the question I have to ask myself is, not whether the Amendment of my hon. Friend does all that can be desired. There I agree with the right hon. Member for West Birmingham that the arrangements that can be made under this Bill by the Local Authority would be very imperfect arrangements, but still they will be worth having, and I am so convinced that my hon. Friend is right about the unpreparedness of the labourers to pay down capital sums as a general rule,

that every alternative to that is to me welcome even within the narrowest limits. I will take leave to make one comment by way of criticism on the remarks of my hon. Friend who has just sat down, and that is this. He said that the labourer has no general anxiety to become a proprietor, he wants to get the use of the land, but not as a proprietor, evidently because, in my hon. Friend's view, that becoming proprietor involves paying down a capital sum which he has not got in nine hundred and ninety-nine cases out of one thousand. Yes; but there is one form in which, if we were in a position to give it, he would be glad to become a virtual proprietor, that is under the form of freeing the land, but that is out of our power. We look to this Bill as an interim Bill, and we accept it in the hope of enlargement and improvement in the future. But, undoubtedly, when I consider the difficulties in the way of bringing the farm labourer into contact with the land, into a use of the land for his own profit—which is the object we all have in view—I do accept every method which opens to him a door, even though it be a wicket door, and as, undoubtedly, I think endowing the County Council, with besides the option of buying the land the option of leasing it, does enlarge the limited sphere in which we are permitted to act under the provisions of this Bill, and endeavouring to look at the question simply and solely from a practical point of view, that the Amendment of my hon. Friend will make the Bill a better Bill than it is without it, I shall undoubtedly be disposed to accept it in the same spirit in which it is proposed.

(5.37.) MR. BARCLAY (Forfarshire): I hope the Committee will not introduce the leasing principle into the Bill, my objection to it being that the labourer will not bestow on land, belonging to somebody else, the same amount of labour which he would if he were the owner. There is another great objection which I have—namely, that it would lead to the compulsory purchase of the land at excessive prices, and in addition there is the practical objection that when you carry out these transactions it is of the greatest importance that all the parties should

know what they are doing. The County Council should know what price they are going to pay for land, and the labourer should have some idea of the price he may expect to get it at. Under this system of compulsory purchase they will not know. The Council will have to serve notice on the landlords, and from the date of that notice the land belongs to the County Council, the price having afterwards to be determined. The County Council may find when that price is fixed that it is one which will prevent them letting the land at a price the labourers will pay, and the land will be left on their hands. If the County Council acts under the compulsory terms they will be saddled with land which they can only deal with at a loss. For these reasons I object to the leasehold system and compulsory purchase.

\*(5.40.) MR. SEALE-HAYNE: The argument of the President of the Board of Agriculture amounts to this: that the landlord injures his estate by granting a lease. Every landlord in the country grants leases, why should he not grant one to the County Council? I cannot understand the position of the hon. Member for Bordesley (Mr. Jesse Collings) with regard to the Amendment. I proposed an Amendment on the Allotments Bill in almost the same words, and he supported it with his vote. The right hon. Member for West Birmingham appeared to get completely mixed up in his argument, for he talked about the County Council getting land and letting land as if these were the same question. The Amendment deals with the question of the County Council taking land on lease, and not with that of letting land. I hope, after this discussion, I shall get the support of hon. Members opposite who are perfectly well acquainted with the wants of the agricultural labourer, and know that what he wants is to rent land at a fair agricultural value.

(5.42.) MAJOR RASCH (Essex, S.E.): I desire to support the Amendment. I know that in the county with which I am best acquainted—Essex—compulsion is not needed, as land is going out of cultivation. But I cannot understand why, having digested the Lands Clauses Consolidation Acts and the compulsory clauses of the Allotments

Acts, and in view of the possible expropriation of the land by Railway Companies, hon. Members on this side should refuse to swallow the mild compulsion of the Amendment.

(5.44.) MR. HALDANE (Haddington): I was surprised at the speech of the hon. Member for Forfarshire (Mr. Barclay), because I have among my papers a representation from his constituency pointing out that this question of leasing is to them the most important thing which could be put in the Bill. His constituents think that the County Council of their county will not be induced to embark on a large transaction of purchase out and out. They think that the Council should be empowered to take such land as is wanted on short leases, and to re-let it in small holdings. In Forfarshire there are probably more small farms—from 50 to 100 acres—than in any other county in Scotland, and they are held under this very tenure which the hon. Member rises up to condemn. The right hon. Member for West Birmingham (Mr. J. Chamberlain) put one or two cases which seemed of a formidable nature, and it is true that the system of ownership is preferable. But in many cases these small tenants cannot purchase out and out, as they have not the quarter of the purchase money required; but if the County Council has power to take land on lease these tenants can come in and take a small holding on lease. It seems to me that is a useful form of transaction, and one which we ought to provide as an alternative. I have also received representations from my own county, from the class likely to be most intimately concerned in the matter, to the effect that they believe the leasehold system will be the one most readily available, and I, therefore, wish to take this opportunity of expressing my opinion on the question.

(5.48.) MR. CONYBEARE (Cornwall, Camborne): I only came into the House while the right hon. Gentleman the Member for West Birmingham was speaking, and if the Division had been at once taken I should have been inclined to vote with him; but I agree, on an examination of the clause under discussion, and the Amendment, that the right hon. Gentleman got rather mixed

in his arguments. They were sound on the point to which they were directed, and I thought from them that the point he was combating was that of allowing tenants under the County Council to let their holdings to others; that would be a most objectionable proposal. But I find that the proposal is really for the County Council to take land compulsorily on leases not exceeding 99 years. I agree in the desirability of this proposal to give further scope to the Bill, but, in my opinion, the Amendment does not go far enough; why should they be limited to leases not exceeding 99 years? Why should they not be empowered to take land for 999 years or on perpetual leases? If that were done, I do not see how the difficulties referred to by the right hon. Member for West Birmingham (Mr. J. Chamberlain) as to buildings, improvements, and so on, would apply at all. Although in my view this is a rubbishy measure, and hardly worth our attention at all, so limited is its scope and so little good is it likely to be to those it is desired to help, I am anxious, by supporting an Amendment of this kind, to enlarge the scope as much as possible, and so make the Bill a little more useful. The hon. Member for Essex (Major Rasch) seemed to think that hon. Gentlemen on his side would object to the Amendment because of the compulsion in it. I agree with him that as compulsion has been recognised in so many other Acts it is rather straining at a gnat and swallowing a camel for hon. Members on either side to object to the compulsion in the Amendment. The principal point, however, is rather that of enabling the County Council to take land on lease. If there is no risk in the County Council going into the market and becoming speculators in land, there can be no more risk in them leasing it for a term of years.

(5.52.) SIR J. KINLOCH (Perth, E.): If the Bill is going to be any use in Scotland, it is important that leasing power should be given to the County Council.

THE CHAIRMAN: The point to which the hon. Baronet is referring will be dealt with in a later portion of the Bill. Question put.

The Committee divided:—Ayes 152; Noes 229.—(Div. List, No. 110.)

**THE CHAIRMAN:** The next Amendment which stands in the name of the hon. Member for Merionethshire is outside the scope of the Bill, and therefore it cannot be put, being out of Order.

**MR. THOMAS ELLIS** (Merionethshire): May I ask, on the point of Order, whether, during the passing of the Allotments Act, in which, so far as I recollect, no instruction was added, an Amendment similar to this, and almost identical in its words, was accepted in the course of the Debate on the Bill?

**THE CHAIRMAN:** I do not remember anything about that case. This Amendment is quite outside the scope of the Bill.

**THE PRESIDENT OF THE LOCAL GOVERNMENT BOARD** (Mr. RITCHIE, Tower Hamlets, St. George's): As regards the Amendment referred to by the hon. Member in reference to the Allotments Bill, so far as my recollection goes the provision was originally in the Bill.

(6.8.) **SIR W. FOSTER** (Derby, Ilkeston): On behalf of my hon. Friend (Mr. Channing) I beg to move in page 1, line 16, to leave out the word "agriculture," and insert—

"Agricultural or pastoral holdings or for market or allotment gardens."

The object of this Amendment is to bring in a number of pastoral holdings, which otherwise would be excluded from the operation of the Bill. I hope the right hon. Gentleman will be able to accept it.

Amendment proposed,

In page 1, line 16, to leave out the word "agriculture," and insert the words "agricultural or pastoral holdings or for market or allotment gardens."—(Sir W. Foster.)

Question proposed, "That the word 'agriculture' stand part of the Clause."

\*(6.9.) **MR. CHAPLIN:** The hon. Member will find by referring to the Bill that pastoral holdings are already included within its provisions. Subject to Clause 1 runs thus:—

it would be the expression 'small holding,' for the purpose of this Act shall mean land which is in the possession of a Council to be suitable for agriculture and in addition exceeds one acre, and either does not exceed 50 acres, or if exceeding 50 acres, the value of the land for the purposes of the Act shall not exceed £50."

Then, if the hon. Member turns to the definitions in Clause 13, he will find this:—

"The expressions 'agriculture' and 'cultivation' shall include horticulture, and the use of land for any purpose of husbandry, inclusive of the keeping or breeding of live stock, poultry, or bees, and the growth of fruit, vegetables, and the like."

I think it is, therefore, clear that the Bill already carries out what the hon. Member desires.

**SIR W. FOSTER:** After the explanation of the right hon. Gentleman I beg to withdraw the Amendment.

Amendment, by leave, withdrawn.

(6.10.) **MR. ESSLEMONT** (Aberdeen, E.): I beg to move, in page 1, line 16, to leave out the words "and exceeds one acre." This Amendment would be rendered unnecessary if the provisions of the Allotments Act were extended to Scotland. I wish to ask Her Majesty's Government whether they are willing to extend the Allotments Act to Scotland? Hon. Members representing English constituencies will understand the effect of this Amendment is only necessary for Scotland. We have no Allotments Act, and, therefore, we have no means of obtaining so small a portion of land as under one acre. If Her Majesty's Government intend to extend the Allotments Act to Scotland, I should not press this Amendment to the Bill; but it is of the utmost importance to Scotland that power should be given to the County Councils to obtain land in smaller portions than one acre. I have before me the case of fishermen in large districts of Scotland. They do not require an acre of land, and still they want an allotment in connection with their cottages. I have also before me the case of a large number of agricultural labourers, who require land to build their houses upon, and very often require a bit of land for a garden, but who do not require what we call a "small croft" of two or three acres. I do not think that the excision of these words would do any harm as regards the application of the Bill to England. But I should like, before discussing the Amendment further, to ask the right hon. Gentleman the President of the Board of Agriculture whether Her Majesty's



Government intend during this Session to extend the Allotments Act to Scotland? If not, I think the Scotch Members will agree with me that the striking out of these words would, to a large extent, meet our difficulties in Scotland.

Amendment proposed, in page 1, line 16, to leave out the words "and exceeds one acre."—(*Mr. Esslemont.*)

Question proposed, "That the words proposed to be left out stand part of the Clause."

\*(6.13.) MR. RITCHIE: My recollection in connection with the Allotments Act is that there was no serious desire expressed by the Scotch Members to extend the provisions of that Bill to Scotland. As regards obtaining small pieces of land for the purpose of building houses, we did not consider that a provision of this kind should be introduced into the Allotments Act. There were undoubtedly sympathetic views expressed by the Government as regards the extension of the Allotments Act to Scotland. There is no objection whatever on the part of the Government, I am sure, to extend the principle of the Allotments Act to Scotland. We would be very glad if we were in a position to do so; but I am afraid I would only be deceiving the House if I gave any assurance that we could by any possibility do it during the present Session. My right hon. Friend would be unable under any circumstances to accept the Amendment proposed by the hon. Gentleman. I am afraid, judging from the attitude assumed by the Scotch Members during the passing of the Local Government (Scotland) Act, when it was proposed to extend to Scotland the benefit of the provisions with regard to allotments already accorded to England, it would not be possible to pass a Bill extending the Allotments Act to Scotland this Session.

(6.17.) MR. ESSLEMONT: I have no fault to find with the right hon. Gentleman in so far as he has stated what has taken place in this House. But I may say that I was distinctly given to understand by the right hon. Gentleman the Leader of the House that if the Scotch Members expressed

a desire to have the Allotments Act extended to Scotland, Her Majesty's Government was willing to do so during the present Session. I only want the right hon. Gentleman to go a little further with regard to this matter. We have expressed repeatedly a desire to have this Act extended to Scotland, and the Scotch Members have from time to time been diverted by promises which have never been fulfilled. The right hon. Gentleman will recollect that I have repeatedly by question brought this matter forward. So far as I think will be essential, I am supported by very many hon. Members representing agricultural constituencies in Scotland as to the desirability of dealing with small allotments for the purposes I have mentioned. Therefore, Her Majesty's Government can be in no doubt as to the desire of the Scotch Members on this matter. I hope, therefore, the Scotch Members will have an opportunity of expressing their opinions upon this Amendment, unless Her Majesty's Government goes a good deal further than it has gone on this occasion. I am glad to see that the right hon. Gentleman the Leader of the House has returned to his place, and I hope he will give us some more satisfactory assurance than we have got from the right hon. Gentleman the President of the Local Government Board on this subject.

(6.18.) MR. A. J. BALFOUR: I am sorry I was not in the House when the hon. Gentleman raised this point. As I understand, he has said that I gave a pledge this Session that the Allotments Act should be extended to Scotland?

MR. ESSLEMONT: I understood so.

MR. A. J. BALFOUR: The hon. Gentleman is perfectly right. I think, in answer to a question put by him, I stated that, so far as the Government were concerned, we were prepared to introduce a Bill for the purpose of extending to Scotland the provisions of the Allotments Act already passed for England if the discussion upon it would not be unduly prolonged. Of course, we could not promise that any lengthened time should be given for the discussion of the Bill; but I am prepared to introduce a Bill similar to that which has



already been passed for England. I do not see that it will be necessary to introduce any special features into the Bill, except those rendered necessary by the different laws of the two countries. I hope it will be allowed to pass practically without prolonged discussion. The hon. Gentleman may rest assured that the Bill will be introduced during this present Session.

(6.22.) DR. CLARK (Caithness): I think it would be better to move this Amendment in connection with Clauses 3 and 4, which only relate to Scotland—and then we should have the power given to one authority in Scotland—namely, the County Councils. As to the extension of the Allotments Act to Scotland, the right hon. Gentleman the President of the Local Government Board was not quite accurate in the information which he gave the House, and which was very different from that just given by the right hon. Gentleman the First Lord of the Treasury.

MR. A. J. BALFOUR: No.

MR. RITCHIE: What I said was that I was afraid, from the attitude taken up by the Scotch Members on the passing of the Local Government (Scotland) Act, that when we attempted to extend to Scotland the benefit of the provisions of the Allotment Act already accorded to England, it would not be possible to pass the Bill this Session.

DR. CLARK: When the Act was passing through the House I had an Amendment down extending it to Scotland; and I pointed out, as we are doing now, the desirability of its being extended to Scotland. I withdrew my Amendment in the Committee stage upon the distinct pledge which was given that the Government would consider between the Committee stage and the Report stage the phraseology necessary to apply it to Scotland. And then, when it came to the Report stage, I withdrew my Amendment on a distinct pledge being given that a Bill on the same lines would be introduced for Scotland. On several occasions I myself and my hon. Friend the Member for Aberdeenshire pressed the matter on the right hon. Gentleman the First Lord of the Treasury, and he gave us to understand that he would introduce a Bill. But I think a vague Bill introduced conditionally will not be satis-

factory. I think my hon. Friend should withdraw his Amendment now, and then move it when we come to Clause 3 or 4, the Scotch clauses, which are different from the English clauses. That power should be given to the County Councils in Scotland, because the conditions with regard to the Local Authorities are different in Scotland from what they are in England.

\*(6.25.) MR. CHAPLIN: I am afraid the Amendment of the hon. Member, if adopted, would not carry out the object he has in view so effectively as the extension of the Allotments Act to Scotland, which we all desire to see accomplished. My right hon. Friend has stated in unqualified and definite terms, and not in a conditional manner, that a Bill for that purpose will be introduced during the present Session, and it will be carried, if possible, to its conclusion.

MR. C. S. PARKER (Perth): I quite agree that the way proposed by the Government appears to be the best; but I should like to know when the Bill will be produced, as hon. Members would be naturally anxious to see it as soon as possible, with the view of ascertaining whether further Amendments may not be required. Scotch Members are usually practical, and I think if the Government were in a position to indicate the time when the Bill would be laid before the House for their consideration, my hon. Friend the Member for Aberdeen would probably withdraw his Amendment, and perhaps hon. Gentlemen below the Gangway would not press their Amendments.

\*MR. CHAPLIN: I cannot fix a precise date, but I have no doubt that the Bill can be brought forward before the present Bill is disposed of. I hope this will satisfy the hon. Gentleman.

MR. ESSLEMONT: Under the circumstances I think the statements of the right hon. Gentleman are satisfactory, and I beg leave to withdraw my Amendment.

Amendment, by leave, withdrawn.

(6.28.) MR. STEPHENS (Middlesex, Hornsey): I beg to move, in page 1, line 16, to leave out "one," and insert "half-an." I hope the right hon. Gentleman may see his way to accept this Amendment. I think it

will come to be felt that it is unnecessary to create any tenure inferior to freehold. An agricultural labourer can acquire half-an-acre of land; but he cannot acquire one acre of land. Putting the land at £40 an acre, all he would have to furnish to get half-an-acre of land would be £5. I know that in Wiltshire agricultural labourers have no difficulty in paying their rates, which very often amount to £5, in one sum. To enable him to acquire one acre of land he would want £10, and he would want £10 more to stock that land. In the case of half-an-acre he would want nothing more than the £5; he would not require to stock it. And, even if he can save this £10 towards acquiring the stock, then he is unable to cultivate an acre of land, while he will be quite able to cultivate half-an-acre. I think it may be broadly stated that the half-acre marks the division between the spade and the plough. There is no middle to be created between this Bill and the Allotments Bill, because the Allotments Bill does not offer the facilities which are wanted. It does not give him security of tenure. In these allotments, land is very often let to labourers just when it is in a transition state. That is especially the case in my constituency, where building operations are often impending on a pretty extensive scale. I think this Amendment ought to be recommended by the fact that it would very largely extend the operations of the Bill. It would give the agricultural labourer that advantage which would enable him not to be entirely dependent upon wage-earning, and in that sense, perhaps, would do more than anything else to stop rural depopulation, which we all know is one of the objects of the Bill. I sincerely trust that the right hon. Gentleman will feel that this Amendment does not in any way touch the principle of his Bill, and I trust he will accept it.

Amendment proposed, in page 1, line 16, to leave out the word "one," and insert the words "half-an."—(*Mr. Stephens.*)

Question proposed, "That the word proposed to be left out stand part of the Clause."

\*(6.34.) MR. CHAPLIN: I would point out to my hon. Friend who has moved this Amendment that what he desires by it is already provided for under the Allotments Act. And even if it were not the case, I should find myself confronted with the same practical difficulty that I should have been met with in adopting the Amendment of the hon. Gentleman opposite (Mr. Esslemont). I hope that my hon. Friend behind me will not press the Amendment, but that after the explanation I have given him that his object is already provided for he will withdraw it.

(6.36.) MR. STEPHENS: It does not, by any means, mean the same thing, because no one has contended that the process of turning land into gold is likely to take place under the Allotments Act. That is reserved for this Bill, and it is for the purpose of turning this half-acre of land into gold that I moved the Amendment; but if the right hon. Gentleman does not see his way to accept it, I will not put the House to any unnecessary trouble, but will withdraw it.

Amendment, by leave, withdrawn.

(6.37.) MR. STEPHENS: I think the argument for my next Amendment is an exceedingly strong one. The House will see that under the Bill there are provided two bases of limit, one of 50 acres, or, if exceeding 50 acres, of the value of £50 a-year. I think it ought to be explained satisfactorily to the House why these two bases are put in. £50 value seems to be the intention of the Bill, but we know that with regard to 50 acres a £50 value will not be the limit of the Bill at all. It is very probable that pasture land in the neighbourhood of towns will be dear, and of a value far exceeding £50. Fifty acres of such land will probably be worth £150, and I submit that, in that case, you will be helping persons who must have a capital of something like £2,000. Persons with that amount of money are not persons to be so assisted out of the rates. Not only that, but under the present arrangement you throw across the path of the County Council a very undesirable temptation. I am quite sure a temptation of that kind

would result in much undesirable speculation. If the County Council enter into the creation of farm holdings of that size and of that great value, the penny rate will do so very little that the creation of agricultural holdings will become quite a curiosity. No one has been able to suggest even an explanation for so very singular a provision as this. I do hope it has been a matter which has really been overlooked, and that the right hon. Gentleman may see his way to simplify the limit.

Amendment proposed,

In page 1, line 16, to leave out from the word "acre," to end of Clause, and insert the words "and does not exceed an annual value, for the purposes of the income tax, of fifty pounds."—(*Mr. Stephens.*)

Question proposed, "That the words proposed to be left out stand part of the Clause."

\*(6.39.) MR. CHAPLIN: My hon. Friend asks me—and asks me very fairly—to state the reasons by which I was guided in selecting the 50 acres and the sum of £50 as an arbitrary limit—for it is an arbitrary limit—of what a small holding should consist of. The reason was this. It carries out the recommendation of the Select Committee. They came to the conclusion that that would be the most convenient definition of a small holding. I admit that it is open to the objection that the hon. Member has pointed out; but the cases to which he has referred would be more or less rare, and, on the whole, I thought it best to adopt the recommendation of the Committee, which I will read—

"Your Committee understand by 'small holdings' agricultural tenancies or cultivating ownerships not exceeding fifty acres in extent or £50 annual valuation. Owing to the varying quality of land it is impossible to fix any particular acreage as sufficient for the support of a family. But your Committee believe that land of from £30 to £50 valuation will generally be adequate for that purpose."

That is the reason why I put it into the Bill. I do not know that I need offer any further reason.

(6.41.) MR. BARCLAY: I hope the right hon. Gentleman will re-consider the necessity of having two limits. The real limit is the value, and I would suggest that the right hon. Gentleman should leave out the ques-

tion of 50 acres, and allow the limit to stand upon the value.

(6.42.) COMMANDER BETHELL (York, E.R., Holderness): The point is that if a man has less than 50 acres, the annual value may be anything at all; but if he happens to have more than 50 acres, the annual value must not be more than £50. Surely that is an anomaly, and I think my right hon. Friend will do well to see whether he cannot leave out the limitation to 50 acres.

\*(6.43.) MR. WHITBREAD (Bedford): I hope the Government will not be induced to enlarge the scope of their Bill in the direction of giving larger holdings than the Bill already provides. I think if the Bill errs at all, it errs in the direction of having the holdings too large already. I quite understand the policy of giving large allotments or small holdings to the labouring population, because it would accomplish some very good objects. It would, first of all, increase the productiveness of the land; it would, in the second place, prevent the agricultural labourers flocking into the towns, and would fix them on the soil; and, in the third place, it would add greatly to their comfort. But when you go beyond that class, I do not know upon what principle we are called to establish a class of small capitalists. The two cases are totally different. Up to, say, ten acres—it depends, of course, upon the nature of the soil—a man can work an allotment himself; but when you get up to 50 acres, he must be an employer of labour, and you would have this absurdity—that the very labourers that he was employing would be taxed by the Council in order to get for him his holding. I think that will lead to anything but a pleasant feeling in our county districts. Let me refer to another point. Everybody who has travelled through the country districts must have been struck with the enormous increase of production from allotments as compared with large farms. That is due mainly to two causes. It is due to the abundant labour and care which the allotment holder is enabled to bestow upon his small plot, but there is another and a much more potent cause, and that

*Mr. Stephens*

is that the allotment holder only touches his land when it is fit to be touched—he only goes upon it at a time when the conditions of climate and soil are such that he can beneficially work it. The farmer is obliged to go on his soil at a time when it would not be advisable to touch it, because he cannot keep his men and horses idle. In my belief that is the great cause of the increased productiveness of the allotment over the large farm. But the moment you get a holding over ten acres, the moment a man becomes what he really would be with a holding of 50 acres, a small farmer, he has to work under the conditions under which the farmer now works, and the increased productiveness of the soil would disappear. For these reasons I protest against being called upon to tax the poorer labourers for the sake of establishing somebody on the land who is supposed to be a fine Conservative voter, and who is to remind us of the yeoman of the past. He is a capitalist, and he can establish himself now, if he has got the money. If he has not got the money, I object to lending him the funds of the County Council.

\*(6.48.) MR. WINTERBOTHAM: I think, now that the right hon. Gentleman in charge of the Bill has read the words of the recommendation of the Committee, he will see that the Committee did not contemplate the words being put as they are in the Clause. I appeal to the hon. Member opposite (Sir John Dorington) whether there is any good land in the Vale of the Severn which is let under 40s. to 50s. an acre? A man, if he has under this Bill a holding of 40 acres there, might have to pay a rental of £120. But directly you get to the hill country, where the land is poor, if he has a holding one rood exceeding 50 acres, then he must be limited to a rental of £50. Surely the right hon. Gentleman does not contemplate an anomaly like that. I think the Amendment which limits the small holding to the annual value of £50, and leaves out the words "or if exceeding 50 acres," is the best way of meeting the question. I fully endorse what was said by the last speaker, that it would be found quite big enough for any small holdings to be established at the expense or guarantee

of the ratepayers, at all events as a first experiment.

(6.50.) MR. JESSE COLLINGS: I thought, until I heard my hon. Friend just now, that we were preparing a Bill that would form a ladder for the labourer to enable him to become a yeoman farmer. This Bill, as it stands, enables him to hire ten acres; he is then allowed to buy more, and if he is successful, he will be allowed to get up to 50 acres. If I could make it a little more I should, instead of trying to curtail it. The Amendment seems to be that a man, no matter how energetic and saving he is, or how long he may have cultivated his little holding, is to be debarred from having more than £50 worth of land per annum.

MR. WINTERBOTHAM: From the ratepayers.

MR. JESSE COLLINGS: It is not from the ratepayers, who will be subject to no loss. I do hope my hon. Friends around me will not curtail this Bill in any such way. I do not think the fears of my hon. Friend the Member for Bedford (Mr. Whitbread), that these farmers will all be Conservatives, will be quite realised. I, for my part, do not care whether they are Conservatives or anything else. (Cheers.) Yes; but I do care very strongly about fixing any limitation to the prospects of the rural population; thus virtually telling them that no matter what their perseverance, labour, or savings, we shall impose a limit of £50 or £40, or, I think my hon. Friend the Member for Bedford said, 20 acres of land.

MR. WHITBREAD: No.

MR. JESSE COLLINGS: At any rate, it is proposed to make it no higher than £50. If there is any alteration at all, I would suggest to the right hon. Gentleman that he should keep the 50 acres and limit the value to £75 or £80, so that a man should be able to get 50 acres, even although they cost a rent of 30s. an acre. That would be a fair limit.

(6.53.) MR. SHAW LEFEVRE: I am quite sure we on this side of the House have no desire whatever to curtail the Bill against the interests of the agricultural labourer. On the contrary, we desire to make it as good as possible for him, but I am satisfied that he will, in the



main, be interested in those ten acre holdings which he may hire and not buy. Not one labouring man in 50,000 will be able to buy his holding. This Bill does not merely propose a limit of £50 a year. There will be the possibility of a man holding 50 acres of land worth £3 or £4 an acre, involving thus about £150 a year. In the parish in which I live—a purely agricultural parish—all the land is worth between £100 and £150 an acre; and under this Bill, therefore, it will be possible to go up to 50 acres, involving a very large transaction on the part of the County Council, as well as a great outlay which would limit the operation of the Bill in other directions. I entirely agree with my hon. Friend the Member for Bedford (Mr. Whitbread) that these large holdings, creating farmers of a substantial character, do really not come within the purview of the Bill; and that in order to restrict the Bill to the class requiring it the Amendment should be adopted. There might be some money limitation—such as that suggested by the hon. Member for Bordesley—so as to preclude large operations and the purchases of land of very great magnitude.

\*(6.56.) **SIR W. FOSTER:** As a Member of the Select Committee responsible for the twofold limitation, I desire to explain to the Committee what was in the mind of the Select Committee on the matter. I think hon. Gentlemen who are discussing this Clause are forgetting that this Bill has, I hope, a future as well as a present application, and that it is desired that those who have now only small patches of 5, 10, or 15 acres, may, if they are prosperous, have an opportunity of obtaining a larger area to cultivate, and should keep that prospect before them. The Select Committee had two classes of land in view. First, those districts where the land is worth £4 or £5 an acre in rent. We limit the purchase of that land to £50 a year, and place the holders of it in the position of never having more than some twelve acres which, in the case of practically garden ground, is as much as they could personally cultivate. Then in Scotland, and, perhaps, Essex, where land is cheap, the limit of £50 would come in and

give the holder a larger tract partly pasture. But in both cases the intention of the Committee was to try to keep the holding such as the holder and his family would be able to cultivate. I therefore hope the right hon. Gentleman will stick to the Clause with its double definition, as it meets a great number of cases.

(6.58.) **MR. R. T. REID:** While I have always been in favour of the limit of 50 acres, I should like to point out to the Committee the difference between the Report of the Select Committee and the use made of their recommendation in this Bill. The Committee recommended this as a maximum limit, because upon their recommendation the Local Authority was to derive a specific pecuniary benefit from the application of public money. But the very serious proposal of the Bill is to embark public money to the extent of £50 a year for the benefit of an individual. This is an almost novel proposal. I am not aware that in any previous legislation it has been proposed that you should authorise the application of public money to the extent of £2,000 or £1,000 on so large a scale for the benefit of people who have not been shown to require it for the public advantage. I desire to point out to the House what the consequence will be if the proposal of the Government is adopted. It will be less formidable to me and to some of my hon. Friends than it may be to hon. Gentlemen opposite. If you are prepared to advance public money before you set up in business a man who may be able to pay a rent of £50 a year, or more, without requiring from him any equivalent, I am sure that hereafter, and perhaps before long, we may use this as a very valuable precedent for the purpose of suggesting that there are other persons more in need of such assistance; and I would remind hon. Members that this is not the first valuable precedent that has been established for us by the present Government.

(7.2.) **SIR J. DORINGTON** (Gloucester, Tewkesbury): Looking at the clause as it stands, I cannot help thinking that the right hon. Gentleman would do wisely in accepting the Amendment. Then there would be no



mistake as to the effect of the proposal, and we should avoid difficulties which may otherwise arise.

\*(7.3.) MR. MARJORIBANKS (Berwickshire): Speaking in the interest of Scottish small holders I hope the right hon. Gentleman will not take out the words proposed in the Amendment. I have consulted a large number of persons mostly interested in this question, and their opinion is that the fifty acre limit is too small. The limit of acreage they would have is that upon which they could fully employ a pair of horses. Now fifty acres is not enough for that purpose. It would be necessary to take sixty, or seventy, or even eighty acres in order to give sufficient work to a pair of horses. The Scotch agricultural labourer would like to have a holding of sixty to eighty acres; and anything less than that limit will diminish the advantages to be conferred by the Bill so far as Scotland is concerned.

(7.5.) MR. STEPHENS: I would point out that my Amendment does not limit the acreage of the land to be taken; but when you go up to £50 value I think it is time the ladder should stop. The point is whether you should go beyond the £50 or not. I trust the right hon. Gentleman will accept the Amendment.

(7.6.) MR. THOMAS ELLIS: I trust that the right hon. Gentleman will not omit the words objected to by the hon. Member. I believe that the Bill may be made the means of removing a great deal of the injustice which now exists in connection with the disposal of farms. The majority of County Councils would no doubt adhere to the limit of £50, but it would be extremely hard if a tenant with sixty acres with a rent of £49 should have an advantage over his neighbour who happens to have a smaller acreage of average land at a little higher rental.

\*(7.8.) MR. CHAPLIN: There is a good deal to be said upon both sides of the question, but I cannot accept the Amendment, and the Committee are now in a position to deal with it.

Question put, and agreed to.

(7.11.) MR. THOMAS ELLIS: I beg to move—

In page 1, line 17, after "acres," insert "exclusive of any common grazing or sheepwalk attached or appurtenant thereto."

I hope the right hon. Gentleman will agree to the inclusion of these words, so as to bring within the scope of the Bill those tenants who may have a comparatively small acreage but who may also have the use of an adjoining sheepwalk. I believe if the addition I propose were made, it would confer benefit on a considerable number of small tenants in Wales.

Amendment proposed,

In page 1, line 17, after the word "acres," to insert the words "exclusive of any common grazing or sheepwalk attached or appurtenant thereto."—(Mr. Thomas Ellis.)

Question proposed, "That those words be there inserted."

\*(7.13.) MR. CHAPLIN: My objection to this Amendment is that it would increase the power of the County Council to provide land to an indefinite extent, and I am, therefore, unable to accept it.

(7.14.) MR. THOMAS ELLIS: I think it would be putting the tenants who have a comparatively small acreage to a great disadvantage to adopt the clause as it now stands.

(7.15.) SIR J. BAILEY (Hereford): I hope that my right hon. Friend will see his way to accept the Amendment, even if it is confined in its operation to Wales. All Welshmen will bear me out when I say that almost all the farmers in Wales have the right to a sheepwalk upon the adjoining hills, and that this sheepwalk is never measured with the farm.

(7.17.) MR. AINSLIE (Lancashire, N. Lonsdale): I hope that this Amendment will be made to apply not only to Wales, but to all parts of the kingdom; and that the right hon. Gentleman will see his way to accept it.

\*MR. CHAPLIN: I cannot accept the Amendment, but I will undertake to consider it between now and the Report stage.

MR. THOMAS ELLIS: Then I will ask permission to withdraw it.

Amendment, by leave, withdrawn.

(7.22.) MR. BARCLAY: I beg to move, in page 1, line 18, to leave out "fifty," and insert "seventy-five." It is the great ambition of the agricultural labourer in Scotland to have a small holding, and I hope we shall be able to make such

arrangements under this Bill as will enable the Council to let small holdings on convenient tenure. The tenant could be asked to put down a certain amount of premium, or to pay so much in the first few years, so as to secure the County Council against loss. The Bill should not limit the powers of the County Council. I hope that the Government will allow the Councils to exercise a certain amount of discretion, so that the holder may have sufficient land upon which to employ two horses.

Amendment proposed, in page 1, line 18, to leave out the word "fifty," and insert the words "seventy-five."—*(Mr. Barclay.)*

Question proposed, "That the word 'fifty' stand part of the Clause."

(7.25.) **SIR W. B. BARTTELOT** (Sussex, North West): I hope my right hon. Friend will not agree to go beyond the limit mentioned in the Bill. I believe it would be most unwise to do so.

(7.26.) **MR. H. GARDNER** (Essex, Saffron Walden): I hope the right hon. Gentleman will reconsider the Amendment. My hon. Friend the Member for Bordesley has said that the sole purpose of the Bill is to create a yeoman class.

**MR. JESSE COLLINGS**: I did not say that was its sole purpose. I said it would enable labourers to become yeomen.

**MR. H. GARDNER**: I think the hon. Member said the main purpose of the Bill was to create a yeoman class. Now I have had an opportunity of speaking to agricultural labourers during the past fortnight, and they have told me that they cannot see how they could ever hope to become yeomen in the sense referred to. They are, however, anxious to have small holdings, and I hope, therefore, the Amendment will be accepted.

\***MR. CHAPLIN**: I cannot accept the Amendment. The limit of £50 was adopted on the recommendation of the Select Committee, and I think we must adhere to it.

(7.28.) **DR. CLARK**: I do not see why we should limit the holding to the rent of £50. The desire is to have sufficient land upon which to employ

two horses. If a man has less than that he can only keep one horse. A much better class of farming is done upon a holding upon which two horses are employed, and I therefore hope the Amendment will be accepted.

\***SIR J. KINLOCH**: The limit of fifty is quite unsuitable for Scotland. Indeed, this Bill will not do our agriculturists the least good, for they are not the men who take very small holdings. The only thing that will do in Scotland will be the one pair farms, which would necessitate raising the limit to £75, or even £100.

**MR. STEPHENS**: It appears that it is now desirable to drop the fifty and to increase it to one hundred. But if that be so, I must point out that, having this limit of a penny rate, you will restrict the operation of the Bill immensely. Indeed, I wonder how many men could face a constituency and say this was a Bill for the relief of the agricultural population.

**MR. R. T. REID**: I desire to say that the smaller holdings are looked for in that part of the country of which we have had experience. For my part, I must say that I am not prepared to spend public money for the purpose of setting up farmers.

\***SIR W. FOSTER**: I do feel in the interests of the passage of the Bill that we ought not to allow the amount to grow, and I would ask that the Amendment should not be pressed.

**DR. CLARK**: If the wording means that there might be forty acres, say at 30s. or £2 per acre—that if above fifty acres it is not to exceed £50, and if below may exceed that amount—then the clause in its present form will suit me, because I do not want to go beyond fifty acres for that class of land. If that is the construction the Government place upon the definition of small holdings in Clause 1, I think it will satisfy us.

Question put, and agreed to.

**MR. THOMAS ELLIS**: I beg to move—

In page 1, line 18, after "pounds," add,—  
 "(3.) Where common or grazing land or sheepwalk shall attach or be appurtenant to or be held or enjoyed with any land acquired by the County Council under this Act, and the County Council shall divide the land so acquired for separate holdings, then a pro-

*Mr. Barclay*

portionate part of such common or grazing land or sheepwalk shall be set aside for each separate holding."

In many pastoral Welsh districts small farms have in years past been consolidated into one large farm, with the result that each farmer obtains not merely the small tenancies, but also the pasture among the mountains. Suppose, in the operation of this Bill, a County Council, on the application of a certain number of labourers or small farmers, acquired a large farm, and that this large farm had attached to it certain acreage of common grazing or sheepwalk, if the County Council were to take a certain amount of land in the valley without also taking what was attached to it—the common grazing or sheepwalk—the real object of this Bill would be defeated. The Amendment simply means that in case a large farm is cut up for small holdings, the mountain land attaching to that farm shall be set aside in proportion to the small holdings created.

Amendment proposed,

In page 1, line 18, after "pounds," add,—  
“(3.) Where common or grazing land or sheepwalk shall attach or be appurtenant to or be held or enjoyed with any land acquired by the County Council under this Act, and the County Council shall divide the land so acquired for separate holdings, then a proportionate part of such common or grazing land or sheepwalk shall be set aside for each separate holding.”—(*Mr. Thomas Ellis.*)

Question proposed, “That those words be there added.”

\*MR. CHAPLIN: What I understand the hon. Member to propose is that where the County Council may require land for the purpose of small holdings in districts where there is common and grazing land, and, having acquired it have divided it into small holdings, they shall at the same time set apart a portion of the sheep grazing land for each of these particular holdings. I listened to the hon. Member with deference because of his close knowledge of Welsh affairs, but I have two points to submit to him. In the first place, if he makes it obligatory on the County Council to do this, is it not possible that on some occasions there may be a purchaser, or would-be purchaser, who may desire to have his holding without grazing land; and, in the second place, is it not sufficient to

leave this matter to the discretion of the County Councils? These are points which I should like to submit to the hon. Member for his consideration. If, then, he desires to press the point, I shall ask him, in reference to this particular Amendment, to do what we agreed in a previous case—to let me consider the subject and make suggestions upon Report.

DR. CLARK: This will affect the Highlands of Scotland equally with Wales. Unless you have a change of the kind proposed, it will be almost impossible for the small holder to make a living. As it is necessary that the holder should have the grazing land during the summer, and the lowland during the winter—that the sheep may be fed while the snow is on the ground—there should be a concurrent division of the two classes of land. This, as was done by the Crofters' Commission, will be absolutely necessary for the Highlands. The North of England, too, will be affected. In view of these matters, I trust the right hon. Gentleman will either adopt the Amendment of my hon. Friend, or, when he draws up a modified clause, will insert a recognition of this proposition. In my opinion, it will be requisite that these large tracks should not be divided, as the cost of division will be great, and as there is a desire that the system of co-operation should be in operation.

MR. SHAW LEFEVRE: Although it may be desirable that something should be done, I venture to suggest that we ought to accept the offer of the right hon. Gentleman, and allow him to consider the subject.

SIR J. BAILEY: I desire to disassociate myself from the hon. Member's propositions with regard to the commons.

MR. THOMAS ELLIS: I did not submit my Motion at all in regard to commons in the ordinary acceptance of the word. I referred to the grazing land on the mountains, and to the sheepwalk which is commonly attached to the farm.

SIR J. BAILEY: But common land in Wales is common not to the particular farm which is divided, but common to the whole. If the hon. Member intends to devote a certain marked piece to each holder, I wish to

say, in my judgment, that is impracticable. If, on the contrary, he means to divide and enclose it, then I say he is ousting the rights of the lord of the manor and owners, and making a very serious alteration in the law—an alteration going far beyond the motive of this Bill.

MR. SAMUEL EVANS (Glamorgan, Mid): My hon. Friend does not propose that the land shall be divided for each particular plot. He asks that provision should be made in favour of the purchaser of every small holding that he may have the right which had attached to the land up to that time, but only the common or grazing land on the mountain. I really wish to press home the fact that in Wales this is a very important matter indeed. Unless something of the kind is done the tenant of a small holding might be obliged to keep his cattle indoors during hay season; so that the loss of grazing rights would be serious. But if the clause were passed, it would then be obligatory on the County Council to meet that contingency. I do not know whether some alteration might not be made in order to make the matter optional; yet, so far as the Welsh tenants are concerned I do not think there would be a single one who would require a small holding without also requiring the grazing land. I hope the right hon. Gentleman will either now meet the views of my hon. Friend or will, on Report, bring up such a clause as will carry out our views on this matter.

\*MR. LLEWELLYN (Somerset, N.): I think the matter had much better be left to the right hon. Gentleman to bring up in a clause on Report. I understand the hon. Member desires that where a County Council acquires any considerable quantity of land which carries with it the right of sheep pasture, the latter shall be distributed among those holders who shared in the purchase. I think that is very desirable indeed. As I understand the Amendment, there is no contemplation to rail or fence in any part of the common.

MR. THOMAS ELLIS: In order that my meaning may not be misunderstood by the right hon. Gentleman (Mr. Chaplin) I will give a case.

*Sir J. Bailey*

Suppose we had a farm of 200 acres in the low-lands. As a rule it would carry with it the right of pasture for 600 sheep over the mountains. Now, if the County Council should cut this farm up into four of 50 acres each, would it not be ridiculous to leave the former tenant, who is allowed to retain 50 acres, the right of the pasture whilst the three other tenants had none? No County Council would be able to let such a farm without this right of grazing, and unless some such Amendment as this is passed, I do not see how the Council can attach that right. I am quite willing that the right hon. Gentleman should consider this question and bring it up at a later stage, but I should like a promise that he will accept the spirit of the proposal.

\*MR. CHAPLIN: I sympathise with the view of the hon. Member, and I will undertake to carefully consider the question.

Amendment, by leave, withdrawn.

Clause agreed to.

Clause 2.

MR. CHANNING: I beg to move, in line 1, after the word "sale" to add "or letting," so as to extend the scope of the Bill.

Amendment agreed to.

MR. JESSE COLLINGS: I beg to move the following Amendment:—In page 2, line 11, to leave out from "holding" to end of sub-section. The words proposed to be left out are, "and cannot be made by the purchaser or tenant." I think these words contain a grave statement, because a purchaser or tenant might be able, at a great sacrifice, to put up these buildings. At the same time it might be far better if the work were done for him, or the necessary money advanced for the purpose, thus leaving him so much more capital to be employed in cultivating his land. At any rate, I would leave the matter to the discretion of the County Council. This is only an enabling clause, and therefore I would not hamper them with being obliged to determine whether the purchaser could or could not do this.



\*MR. CHAPLIN: I take it that it is desirable the holders or tenants should put up these buildings themselves, but when that is not possible, and only in those cases, do I feel it wise to cast upon the County Council the performance of that duty.

MR. JESSE COLLINGS: I do not attach much importance to this Amendment except that it seemed to be necessary to prepare the way for another Amendment of mine which follows. After what the right hon. Gentleman has said, I will ask leave to withdraw it.

Amendment, by leave, withdrawn.

MR. JESSE COLLINGS: I now beg to move the following Amendment:—

In page 2, line 12, at the end of the Clause, to add the words: "(4.) 'The County Council may also make to any person acquiring from such Council under this Act any Small Holding, loans for buildings or other improvements on such holding.

(5.) Terms of repayment of such loans shall be so arranged that the loans and all interest thereon shall be paid off within a period not exceeding thirty-five years from the making of such loans.

(6.) Any such loans shall be a charge on the small holding in respect of which such loan is made, next in priority after any other sums due in respect thereof to the County Council."

I hope the right hon. Gentleman will accept this Amendment, which, I think, is of the utmost importance. If hon. Members consider what took place before the Select Committee, they will find that the majority of witnesses pointed out the necessity for provision being made for the erection of buildings. Lord Wantage, in the course of his evidence, said that it would cost him, as a landowner, twice as much to put up buildings and make the necessary repairs as it would the man who had a small holding. No doubt the buildings on his Lordship's estate would be of a needlessly expensive character for a small man. I know if you leave a small holder to himself, and let him find out his wants, he will make buildings such as will fulfil his purposes at a cost, including his labour, so small that you can scarcely estimate it. What I propose is, not to forbid the County Councils to erect these buildings, but to leave it to their discretion. I think that, under certain circumstances, the

Councils might advance a sum of money to the small holder to enable him to put up buildings such as would suit him. That might not be quite the case if the Councils do the work themselves. Such loans would be of quite a different character from the loans on the land because buildings wear out, and, therefore, the suggestion is that they shall be paid for by annual instalments during 35 years, and that the money so advanced shall be a charge on the small holding next in priority after any other sums due to the County Council by such owner. I am quite sure that the difficulty of erecting buildings for small holders will be a great drawback, unless the right hon. Gentleman will consent to some such proposal as this.

Amendment proposed,

In page 2, line 12, at the end of the clause, to add the words,—“(4.) The County Council may also make to any person acquiring from such Council under this Act any small holding, loans for buildings or other improvements on such holding.

(5.) Terms of repayment of such loans shall be so arranged that the loans and all interest thereon shall be paid off within a period not exceeding thirty-five years from the making of such loans.

(6.) Any such loan shall be a charge on the small holding in respect of which such loan is made, next in priority after any other sums due in respect thereof to the County Council.”—(Mr. Jesse Collings.)

Question proposed, “That those words be there added.”

MR. CHANNING (Northampton, E.): I wish to confirm what the hon. Gentleman who has just sat down has said. From my own experience of small holdings in my own neighbourhood, I think the question of cheapening the provision of essential buildings is a very important one. It is within my knowledge that small holders can erect buildings quite adequate for their purpose much cheaper than is likely to be the case if the County Councils take the work in hand. This Amendment I consider to be a very wise one. I do not think the County Councils would be deterred from carrying the provisions of this Bill into effect, because of the introduction of this proposal. On the contrary, I think they will see that the security is ample, and that they are furthering their own interest in promoting the interest of the small holders.



(8.10.) Mr. STAVELEY HILL (Staffordshire, Kingswinford) : I think the proposal contained in the Amendment will be, to a large extent, provided for by a subsequent clause, which enables the County Council to make allowances for the erection of buildings. This is Sub-section 6 of Clause 5, which reads as follows :—

"The Council may, if they think fit, agree to postpone for a term not exceeding five years the time for payment of all or any part of an instalment either of principal or interest, or of a terminable annuity in consideration of expenditure by the purchaser which, in the opinion of the Council, increases the value of the holding, but shall do so on such terms as will, in their opinion, prevent them from incurring any loss."

This surely goes a long way to meet the views of the hon. Gentleman. If a man who has a plot of land is unable to put up buildings, the County Council can postpone his payments for five years and allow him to use the money in the erection of buildings.

(8.11.) Mr. R. T. REID : I think the provisions pointed out by my hon. Friend opposite give everything that can in fairness be claimed. I do not know that I am very easily shocked, but I am beginning to ask myself what is to be the end of all this. What is really proposed is that a gentleman who has been favoured by public credit to the extent of acquiring property worth £100 a year or so is, in addition, to have loans for the purpose of erecting farm buildings. Contrast the position of that man with that of a struggling tradesman in the village who wants to increase the size of his shop. That is surely for the benefit of the inhabitants; but that man cannot obtain a loan from the County Council to assist him, and I should like to remind the House that there are small holders who have made their way without the assistance of this Bill. I am thoroughly in sympathy with this Bill, but I think we shall make a most unfair differentiation between two classes of small holders if we allow the man who is now the favourite of the Legislature to receive public money for the erection of his farm buildings, and withhold that advantage from the man who by his own industry and thrift has secured a small holding in the ordinary way, and I hope the right hon. Gentleman (Mr.

Chaplin) will not accept the Amendment.

•(8.13.) Mr. CHAPLIN : I am afraid I cannot accept the Amendment of my hon. Friend for reasons which I think must be apparent to the Committee. The hon. Member for Northamptonshire said that the security would be ample, but I do not think this would be the case. Assuming that the proportion of money to be paid down is one-fourth, that is not a very large amount to begin with; and when this subject was considered by the Members of the Select Committee, an entirely opposite view as to the risk involved on the ratepayers was taken from that of the hon. and learned Gentleman. I will read two sentences from the Report of that Committee—

"Some witnesses have argued that the Local Authorities should advance money on building improvements, and even on stock. Your Committee cannot adopt this suggestion, which they consider extravagant in the case of stock, and which they believe even in the case of buildings would be attended with great risk."

I am bound to say I share that view myself, and I cannot see that the hon. Gentleman has said anything to diminish the fears I entertain with regard to the risks which this will impose, or to diminish the force of our view. The majority of the Select Committee held the view that I have expressed, and I believe that view will also be shared by this Committee. I am sorry I cannot meet my hon. Friend by accepting his Amendment.

(8.15.) Mr. SHAW LEFEVRE : I think we have already gone a long way to benefit the small holder, but my own view is that when once the tenant purchaser has entered into possession he is not entitled to any more consideration than any other farmer. Many farmers would be glad to receive advances from the State to enable them to build houses and farm buildings, and there are many who have not had the advantage of having State money lent to them to purchase their holdings, and I do not see any reason for the proposal contained in the Amendment. I shall not support the Amendment, and I think the right hon. Gentleman has acted wisely in refusing to accept it.

(8.17.) **COMMANDER BETHELL:** Economically, the hon. Gentleman who has proposed this Amendment is quite right. It is better economy to lend the money to tenants, and allow them to put up the buildings than that the County Council should do the work. I question, however, whether it is advisable that the tenant purchaser should be assisted by public money further than is indicated in the 5th clause.

(8.18.) **MR. ATHERLEY-JONES** (Durham, N.W.): I shall vote for the Amendment, because I believe it is one of the most important and most valuable that has been moved in relation to this Bill. I have heard with some surprise the observations of the hon. Members for Bradford (Mr. Shaw Lefevre) and Dumfries (Mr. R. T. Reid). I think it is a little late in the day to talk about alarm, and I think it comes with somewhat bad grace from us, who insisted on the Government introducing compulsory powers into their Bill, to complain of this somewhat innocent Amendment of the hon. Member for Bordesley (Mr. Collings). We want to make the Bill as effective as possible, and we recognise the right of demand and the duty of the County Council to make provisions of an exceptional character for the class of tenants pointed out by the Mover of the Amendment. The hon. Gentleman opposite (Mr. Staveley Hill) spoke of Sub-section 6 of Clause 5; but if you look at the legislation of other countries upon this subject, particularly of Russia, you will see that the Government have been most careful to make provisions by public loans for the erection of buildings on the small holder's estate, to provide stock, and even to provide seed for the farm. I regret that the Bill does not go further in that direction; but the Mover has justified his Amendment on another ground, and that is, that the tenant himself can do the work at much less expense than it can be done by the Local Authority. We are not asking that the County Council shall have an indirect power in this manner, that they shall be able to make remissions extending over five years, but that they shall have the direct power to make an

advance in money—a moderate advance for the purpose of enabling the tenant to erect the necessary buildings. I think the Amendment is a moderate and reasonable one, and I again ask the right hon. Gentleman to give it further consideration.

(8.23.) **MR. JESSE COLLINGS:** I am loth to detain the Committee, but I am so satisfied that the success of the Bill depends largely on this question of buildings that I would ask the right hon. Gentleman (Mr. Chaplin) to re-consider his decision. I was astonished to hear the remarks of the Member for Bradford, and I think he can scarcely have read the Amendment. He said that the small holder, having had his buildings put up for him, could not expect any more. It is the man who has not had the buildings that this Amendment is endeavouring to assist. If the County Council think it better to erect the buildings themselves they can do so under this Bill. But they might be disposed to let a small holder, who had sons perhaps to assist him, have a small loan to enable him to put up the buildings that he requires, and he could do it very much cheaper than they could. Perhaps the tenant could not put up all the buildings, but could put up some with a little assistance, and I want to give the County Councils in their judgment and prudence, in which I have the greatest confidence, the power to advance these small sums. The right hon. Gentleman seems to think that there is less security, but I think the security is the same. Suppose the County Council erected £100 worth of buildings, they would charge, I suppose, £4 per annum. If the man put up the buildings himself, he would probably only borrow £50, which would reduce the interest to £2, and the buildings would be there all the same. I would ask the right hon. Gentleman if he thinks the sub-section of Clause 5 meets the case that I put forward, and I must say I have not yet heard a good and sufficient reason why the County Councils should not be allowed to advance the money. All the economic arguments are in favour of the proposal, and I hope the right hon. Gentleman will see that there is nothing new in my proposal. There is, I maintain, the

same security and increased economy, and I do beg the right hon. Gentleman to take the matter into further consideration.

(8.28.) MR. STEPHENS: I should like to point out that the tenant might put up buildings which would not have the effect of increasing the value of the holding, and it is supposed that a County Council would put up buildings which would improve the permanent value. I think the sub-section of Clause 5 is a preferable way of dealing with this matter, because under that there is time for the tenant to have given some proof of his fitness and reliability, and it will not involve the risk that is contained in the Amendment. Hon. Members must remember that we are not dealing with an unlimited fund, and that, on the contrary, we are dealing with a fund which is extremely limited.

(8.29.) MR. CHANNING (Northampton, E.): I would suggest to the Member for Bordesley words which at the beginning of his Amendment would make it clear that what is suggested is an alternative. If he were to preface to his Amendment "Where the County Council do not think fit to provide buildings" these words, or words to this effect, would make it perfectly clear that these loans are not to be in addition to money spent on the erection of buildings. I contend that this will be a more economical manner of doing the work, and I think these words will make it clear what is the real intention of the Amendment.

(8.30.) Question put.

The Committee divided:—Ayes 56; Noes 123.—(Div. List, No. 111.)

Clause, as amended, agreed to.

Clause 3.

(9.12.) MR. THOMAS ELLIS: Mr. Chairman, I am very much afraid it is no use explaining this Amendment to the Minister of Agriculture, as the Minister of Agriculture is not present in his place.

Notice taken, that 40 Members were not present; Committee counted, and 40 Members being found present,

*Mr. Jesse Collings*

MR. THOMAS ELLIS: The Committee has previously discussed at considerable length the question of giving to the County Council various methods of acquiring land. I am sorry to say the Committee has refused to accept many of the Amendments which were moved from this side of the House to give powers to County Councils to take land on lease, as well as to take it in feu. The Amendment I have to propose, in page 2, line 16, which is to insert the words "occupation or" after "holdings for," raises the question of giving County Councils the right not only to sell land to the labourers or others, but to give them the power to give land on occupation—either to lease it or to hire it—from year to year, or upon any terms the County Council may see fit, under rules to be incorporated in this Bill. I think the right hon. Gentleman must admit the strength of the arguments which have been advanced by, I think, the vast majority of Members on this side of the House, by two or three Members on the other side of the House who are very well acquainted with agricultural districts, and also from the members of the various Congresses and Conferences which the right hon. Gentleman has himself attended and addressed during the last two or three months. Naturally I read the reports of these Conferences with very great interest, because one was able to see there the opinions of those who were Conservatives, and also of those who are very anxious to obtain easy access for the labourers to the land. As far as I can remember, many of those who spoke at those Conferences were very anxious that the County Councils should have power under this Bill not only to sell land, but to let it as well; and I think that the arguments which have been brought forward by several on this side of the House, more especially by the right hon. Gentleman the Member for Midlothian, must have carried conviction to a large number of Members on the other side, that under this Act it will be for a long time impossible for a large number of labourers to buy land out and out. They have not the capital, and even if they had the capital to buy the land, they would not then have enough capital to stock it

and to pay the first few instalments of the purchase money. So that if the right hon. Gentleman wishes to carry out the real purport, as it seems to me, of all such Bills as this—namely, the bringing of the labourers into nearer contact with, and the giving them an easier access to, the land, he must give the County Councils some other power than that of selling out and out to the tenant. The right hon. Gentleman, when I moved a previous Amendment, was willing to make a certain concession with regard to this clause. We appreciate very much the concession he made, but, as I read his concession, it simply enables the County Council to let land under ten acres to those who are unable to buy it out and out. What I desire the right hon. Gentleman to do is, not to set up this artificial limit of ten acres, but to give the County Council as wide and general a discretion as possible in the matter. The County Council is not likely to embark on all sorts of risky land speculations. They will be very chary indeed of letting or selling land, except upon good security and with something like a reasonable prospect of repayment, but what I venture to urge upon the right hon. Gentleman is that it is unwise to set up this artificial limit. In some parts of the country ten acres would be quite as much as a labourer could deal with, but in other parts of the country, where the soil is very thin, the labourer could not possibly obtain a decent subsistence out of ten acres. Twenty or thirty acres let to him, especially if it were let in connection with certain grazing land on the mountain side, would enable the labourer to start as a peasant farmer, and to get enough money gradually to become the owner of the land, or of some other land, at the disposal of the County Council. Such a process as that is the process for which we have been looking for many years, and a process which the right hon. Gentleman desires to give by means of this Bill. I am sure he cannot give it, unless he accepts an Amendment enabling the County Council not only to sell land, but also to let land up to fifty acres. Now, it may be said it is a very risky experiment for the County Council to become landowners, but it seems to me that a

certain element of risk is contained in any transaction whatever with regard to land on the part of the County Council. But once you do away with this fear of risk, I think we could very well trust the County Council to draw up such rules as will make the risk as small as possible. The County Council may, by means of these rules, enable the labourer to lease land for thirty or forty or fifty years at what he might consider thoroughly fair and reasonable terms; or, on the other hand, it might give a shorter lease, or even an ordinary year to year tenancy. What I wish by this Amendment is to give the County Council as large a discretion, and as large a liberty as possible to carry out what I consider to be the main purpose of the Bill—namely, to make it easier for the labourers to obtain access to the land of this country.

Amendment proposed, in page 2, line 16, after the words "holdings for," to insert the words "occupation or."—*(Mr. Thomas Ellis.)*

Question proposed, "That those words be there inserted."

\*(9.23.) MR. CHAPLIN: I listened with great attention to everything the hon. Gentleman said, and I do not think upon this point there is any wide difference of opinion between us, although we desire to arrive at the same end, I acknowledge, by somewhat different means. The discussion which the hon. Gentleman invites us to enter upon in this Amendment is really a repetition of the discussion which was conducted at very considerable length upon Clause 1 of the Bill. The hon. Member refers to the numerous Conferences which have been held in different parts of the country, at some of which I have been present myself, to meet a number of people of all classes interested in this question. Then he says, so far as he can judge from the reports, he has gathered that the great majority of these people were unanimously in favour of hiring rather than of purchasing land.

MR. THOMAS ELLIS: I did not say the majority, but a large number of them.

\*MR. CHAPLIN: I beg pardon. The hon. Gentleman said a large number of

them were in favour of hiring rather than purchasing.

MR. THOMAS ELLIS: As well as purchasing.

\*MR. CHAPLIN: Within certain limits I acknowledge that is perfectly true. There are, and there always will be, a certain number—probably a large number—of agricultural labourers and others in the country districts whose means will not enable them to buy land, however desirous they may be of doing so. Consequently, being perfectly alive to that fact myself, it was one of my first duties, in considering the framing of this Bill, to devise some means by which that difficulty might be overcome. I think I shall be able to show the Committee that the difficulty has been clearly and substantially dealt with; and when the mode in which it is dealt with was explained to the various classes at these Conferences I do not recollect a single occasion upon which the methods proposed in the Bill of the Government did not give complete and entire satisfaction. I will not repeat what I said on the introduction of the Bill with regard to the desire of the Government that in the first instance it should, if possible, create owners, rather than tenants of land. There are numerous good reasons why I think that object is desirable which will commend themselves to the Committee—reasons which, had I been in order, I should have stated at some length to the Committee on the first clause, and which were dealt with at no inconsiderable length by the right hon. Gentleman the Member for West Birmingham (Mr. J. Chamberlain) to-night. But as I have the charge of this measure, perhaps it is desirable that I should point out to the Committee some of these reasons. In the first place, if the Local Authorities are to let the land instead of selling it to purchasers, they begin by losing what, after all, is the chief security against loss to the ratepayers—namely, the proportion of the purchase money which the Bill requires shall be paid upon the completion of the purchase; and you will, to that extent, undoubtedly increase the risks which have been frequently referred to in the course of the debate this afternoon as being imposed upon the ratepayers.

*Mr. Chaplin*

The next difficulty I find is this—a difficulty which also has been constantly referred to to-night—the provision of the buildings. How are the buildings to be provided if the land is to be let? It must be obvious that if the land is let it must be upon either a yearly tenancy or a lease. If it is to be let upon yearly tenancy it is perfectly clear that the tenants cannot erect the buildings, and that that duty undoubtedly must fall upon the Local Authority. If, on the other hand, it is let upon lease, I admit that it would be perfectly possible for the tenants themselves to provide the buildings, but, if they did, would it not be infinitely preferable, in their own interests, that instead of being leaseholders they should purchase the land, because the difference between what they would have to pay as rent and what they would have to pay as instalment upon the purchase money would be very inconsiderable? They might possibly pay something less as rent, but if they bought the land and paid a trifling addition in the form of instalments, every year would be bringing them nearer to the time when not only the land but the buildings upon it became their own. I think I have shown two good reasons upon the point of buildings alone. Surely it is more desirable that the new holders should be owners instead of tenants. I now come to the consideration of the next question, and that is whether the Local Authorities in this country are well calculated to occupy the position of landlords. Everyone knows how numerous, important, and difficult the duties of a landlord are—and it must be seen that they would be enormously increased for a Local Authority—and what an army of agents, bailiffs, and surveyors would be required for the management of their estates, which would perhaps be situated in all parts of the county. Not a gate would require to be hung, not a drain to be made, or any other trifling matter to be attended to without the Local Authority being called upon to deal with it; and I submit that they would not be able to undertake this responsibility with anything like the economy and advantage with which it could be done by the landlord. Then, again, everybody knows what happens to a landlord



when his tenants suffer from bad times. He is called upon to make reductions in the rents; and he generally does so. He is able to do so, because he is dealing with his own property; but the Local Authority would be placed in a totally different position, because they would be dealing with the property of the ratepayers, for which they would be only trustees. Moreover, the Local Authority would be elected by the very people who are pecuniarily interested in the management of the estates, and enormous pressure would therefore be brought to bear upon them. If the Local Authority gave way, the trust of the ratepayers would be betrayed; whilst if the Local Authority resisted, they would become the most unpopular landlords in the world. I cannot think there will be in the minds of anyone who has carefully and impartially considered this question any difference of opinion as to its being preferable that the land should be sold, and not let. At the same time, we were disposed to make some provision for that class of persons whom it is desirable to put upon the land, but who cannot afford to purchase. The Bill provides that the Local Authority should be empowered to let the land in holdings of ten acres to such persons. The limit of ten acres does not, however, represent any fixed principle; and if good reasons can be advanced for altering it, we shall be prepared to make the alteration. I will now venture to refer to some observations I have frequently heard advanced during the course of these Debates. Many hon. Gentlemen have declared that, as far as the agricultural labourers are concerned, there is not one in 50,000 who would ever be able to purchase a small holding. Now, I believe that statement to be entirely unfounded, or, at all events, to be a very great exaggeration of the facts of the case. It has been my duty to make inquiries into this question during the last few months, and I have been astonished to find what a large number of farmers there are in a prosperous condition who have been agricultural labourers themselves, or the sons of agricultural labourers. Surely that is a most encouraging thing to learn, and it

supplies a very decisive answer to the declarations of hon. Gentlemen that not one in 50,000 would ever be able to purchase a small holding. I believe that, with the provisions in the Bill which I have mentioned, a large number of labourers will be able by their own industry to purchase small holdings, and that they will thus be in a position to mount the ladder, to which the hon. Member for Bordesley has referred. I think I have now given reasons for the decision we have arrived at in regard to the Bill, and I will only further say that I shall be unable to accept the Amendment of the hon. Member.

\*(9.40.) MR. THOMAS H. BOLTON (St. Pancras, N.): While I agree with the intentions of the hon. Member, I do not think his Amendment expresses his meaning, or that it is one we can embody in the Bill. The Bill in itself is not inconsistent with occupation; indeed, it distinctly contemplates that the purchaser should occupy. There is no reason why the power to let the land should be restricted to those who cannot purchase. There may be many cases in which people may be well able to purchase, but who prefer to rent; and I see no reason why such persons, whom it would be very desirable to get upon the land, should not benefit by this Bill. The right hon. Gentleman contended that Local Authorities could not perform the duties of landlords, but I would point out that there are already a large number of public corporations throughout England who possess land and who lease and let it. I admit that there are some cases in which they have not been good and satisfactory landlords; but the right hon. Gentleman must bear in mind that there are many corporate bodies, large and small, which have managed their estates in a very satisfactory manner. I cannot see why the right hon. Gentleman should be so tenacious in opposing a merely enabling clause to give the County Councils the power of letting as well as selling the land, and I hope he will reconsider the matter. We would agree to any reasonable condition the right hon. Gentleman might wish to impose in regard to it. I speak

now as a friend of the Bill. I think that altogether it is an exceedingly good Bill, reflecting credit both on the right hon. Gentleman and the Government, and I wish to do nothing to impair its usefulness. The Amendments I have put on the Paper are more in the nature of suggestions than anything else. My object in making them is to improve the drafting in two or three places and to give the Bill a wider scope, and to enable it to reach a class of people it would otherwise not reach. I agree that this Amendment cannot be accepted in its present form, but I hope the right hon. Gentleman will reconsider it if it is so altered, and thus give the County Councils the power of letting as well as re-selling.

(9.45.) MR. HALDANE: I wish to support the appeal of my hon. Friend, and in doing so I will read some words which fell from the right hon. Gentleman the Member for Sleaford himself. I find in *Hansard* of 26th January, 1886, this passage in his speech—

“With regard to a large creation of small holdings by the action of the Legislature I hold a totally different opinion altogether. I am satisfied that not only would it do nothing to mitigate, but, in my opinion, it would have precisely the opposite effect, and it would only tend to aggravate and increase the agriculture depression, of which we all so much complain. Something, no doubt, may be said in favour of small tenancies, but I have yet to learn whether by means of small holdings, as a general rule, small tenancies or small freeholds are meant by the author of this Amendment. I admit that in many cases a tenant of a small farm, holding his farm under favourable occupation, has probably been able to weather the storm of depression as well as, and possibly better than, some of his neighbours in larger occupations; but the small tenancy is one thing, and the small freehold is another.”

If these words of the right hon. Gentleman were true then, are they not also true to-day? So far as the present Bill is concerned it compels the purchaser to pay down a quarter of the purchase money. Now, I should like to know how many of the class to whom this clause would apply would be in a position to do what is required of them. Not only would they have to be in a position to put down a quarter of the purchase money, but they would also require money with which to stock the

land. The small holder is placed in a sufficiently difficult position without the additional difficulties which the right hon. Gentleman would place in the way of the purchase of the freehold. If this Bill had been analagous to the Irish arrangement for the purchase of the freehold, there would have been little need for the Amendment; but I do feel that but a very small class of those whom we wish to benefit will be reached unless the principle of this Amendment is accepted. I do not care in what form it is put so long as the ten acre restriction is taken off. I would, therefore, appeal to the right hon. Gentleman to act up to the sentiments which actuated him when he made the speech from which I have quoted on the 26th January, 1886.

COMMANDER BETHELL: In the present discussion there is no question of principle involved—that has already been conceded. My right hon. Friend has mentioned several reasons why he thinks the substance of this Amendment ought not to be admitted in the Bill. He observed that if the Local Authority is allowed to let land without restriction as to the amount or persons who may be allowed to hire it, the Local Authorities lose security by reason of not having a certain amount of money left in their hands. If that is true, it is also true that the Local Authority can get rid of a bad tenant; while under the other conditions the bad tenant may go out of the land after he has ruined it, the land ultimately coming into the hands of the County Council in such a condition as to require considerable expenditure before it is again brought to its proper value. I would point out here that this Amendment, as does the Amendment I should have moved, really gives greater elasticity to the County Council. As to the question of buildings, I do not suppose that the County Council would let land in such sizes as would necessitate the erection of buildings. As has been pointed out, you cannot let land on a yearly tenancy and expect the tenants to put up buildings, and in a great many cases where small holdings are not far from villages buildings of the nature contemplated would not be required. In that respect I would remark that the elas-

*Mr. Thomas H. Bolton*

ticity which this Amendment proposes is really desirable. Wherever buildings are concerned, I take it that the land will be sold. Then he further mentioned the case of the Local Authority as landlord, and in this connection there would, no doubt, be some difficulty; but I do not think it is of such a nature that we should trouble ourselves much about it. With reference to the case he submitted, where a County Council, possessed of a considerable quantity of land, might have pressure put upon it order to lower rents, I think the right hon. Gentleman has forgotten the number of people with whom the County Council is concerned, and also the vastness of the area. While you might possibly bring pressure upon the parish Vestry, you could not bring influence of that nature to bear on the County Councils. What we ask is that those who do not wish to buy may hire land. If the hon. Member goes to a Division I shall feel it my duty to support him, seeing that I have an Amendment of the same nature on the Paper.

MR. BARCLAY: I sympathise very much with the desire to give the agricultural labourers a footing upon the land; but I think the system of hiring land for a limited period is so unsatisfactory that I cannot give it my support. It is necessary for the proper cultivation of the land that the men who hold it should hold it in perpetuity of tenure on certain known terms; and I think that object might be accomplished if we induced the Government to adopt the principle of the Irish Land Act by taking payments for the land by instalments extending over a period of years. He would then have the ownership of the land so long as he paid the instalments every year, and, at the same time, the security of the County Council would increase. I think you will find that a man taking land on a lease for 20 years will deem that period not sufficient to justify the expenditure of money on the land. I think the hon. Member, instead of pressing the Amendment, should take the alternative of pressing for the acceptance of the proposal to take payment for the land by instalments.

VOL. IV. [FOURTH SERIES.]

MR. CHANNING: This discussion, if I may say so, has been somewhat disorderly. The real question will come on in the next sub-section, and then the discussion can properly take place. I would suggest to my hon. Friend that, as his Amendment is open to serious objection, he would be wise in withdrawing it, and leaving the Amendment of the hon. Member for St. Pancras (Mr. T. H. Bolton) in its place.

\*SIR W. BARTTELOT (Sussex, North West): I venture to say that the ten acres which my right hon. Friend proposes the County Council should be allowed to let is amply sufficient for all purposes at present. My right hon. Friend has stated that this is an experimental measure. Surely, when we find that everybody wants to rent land, then will be the time to consider the subject. There are at this moment many landlords who are anxious, ready, and willing, to let to any small tenant land of the kind in question. I myself should be exceedingly glad to find small tenants wanting to rent land. I hope the right hon. Gentleman will not go one inch further than he has done in the direction of leasing, because I am certain it would be a step in the wrong direction.

MR. H. GARDNER: I rise to meet one argument which has been used by the right hon. Gentleman (Mr. Chaplin). He pointed out that one reason why this Bill should pass is because there are many agricultural labourers who have now become by industry and thrift occupiers of land. Yes, they are occupiers of land, but they are not owners, and the whole point is that by this Bill they are to become owners. The fact that there are men who have risen from the position of agricultural labourers in this country to be farmers is in no way an argument why we should not lease land. On the other hand, it is the strongest reason why we should lease land. Therefore, the argument that the right hon. Gentleman has advanced tells more against himself.

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\***MR. CHAPLIN**: What I said was this. I referred to gentlemen now farming on their own account who have risen from the position of agricultural labourers, to prove, not that it is necessary they should become owners of land, but that they would have sufficient money to pay down, under the provisions of this Act, to purchase small holdings.

**MR. H. GARDNER**: That explanation seems to tend still further in our direction, because it is obvious that agricultural labourers must be assisted to farm more than ten acres in order that they may save sufficient money to purchase land for themselves and become the yeoman class which we desire to see. It seems to me that leasing should be put on an equality with purchase in this Act, and it is in this direction I shall vote. I venture to think that some of the Amendments which follow more completely raise the issue than this one does. At the same time, if my hon. Friend goes to a Division I shall support him.

**MR. SAMUEL EVANS**: I venture to join in the appeal which has been made from every quarter of the House to extend the operation of the Bill in the direction now sought. As has been already said, this proposal of my hon. Friend is only a question of degree, and not one of principle. Not only is the principle conceded by the right hon. Gentleman himself in Sub-section 2, but it is also conceded in Section 8, where the County Council are authorised not only to sell lands in accordance with the rules and terms of the Act, but to sell lands, if they happen to be superfluous, upon any terms they please. Therefore there is no question of principle involved. Now, I will ask the right hon. Gentleman whether he thinks it is safe to pass the 2nd sub-section if he adheres to the opinion that it is unsafe to adopt my hon. Friend's Amendment? The right hon. Gentleman has referred to Local Authorities as bodies not very well qualified to manage estates. Well, I do not think the management of estates by Local Authorities would come into

operation very much. Once they had leased or let the land for occupation they would not have to manage the estates as if they kept the land in their own hands. In the interest of the Bill, in order to carry out the objects of the promoters, that of bringing the labourers step by step, if necessary, into actual ownership of the land, and inasmuch as the question of principle has been conceded, I venture to hope that the right hon. Gentleman will help to make the Bill much more thorough and comprehensive and satisfactory by accepting the Amendment of my hon. Friend.

\***MR. CHAPLIN**: Hon. Gentlemen opposite seem to be of opinion that the Local Authorities should have as much power to let land as they have to sell it. The Government, on the other hand, is still of opinion that it is desirable in the first instance, if possible, that they should sell it. That opinion is founded on reasons which I have submitted to the Committee, and to which no sufficient answer has been given to induce me to change my view. The reasons are that it is desirable, where possible, that the land shall be sold instead of let, so that the Local Authorities shall not be placed in the position of landowners. I have recognised from the first that it is inevitable some land will have to be let by them, but I do not think it is desirable to extend that provision more largely than is necessary. I am obliged, therefore, to adhere to the proposition which I have made, which really comes to this, that land is to be offered for sale in the first instance. If it is not sold, and cannot be sold, then the Local Authorities are empowered to let. I hope the Committee are now sufficiently well acquainted with the point under discussion to allow them to come to a decision.

**MR. JESSE COLLINGS**: There is one point I must mention. The success of this Bill depends upon the goodwill of the ratepayers, of whom there will be twenty or thirty to every tenant or owner of land. I can quite understand that the ratepayers will allow the County Councils to buy land for the purpose of creating peasant proprietors, and that they will allow a certain



amount of letting of land. But if, under the proposals of my hon. Friend, the County Councils are to enter into gigantic land speculations with all the possible financial dangers, I say that the ratepayers will not allow this Act to be adopted.

Question put.

The House divided:—Ayes 112; Noes 164.—(Div. List, No. 112.)

(10.32.) MR. FRANCIS STEVENSON: I have three Amendments on the Paper. The first is in page 2, line 18, to leave out from "where" to "tenants" in line 22 inclusive. The second, which is merely consequential, is in line 22, after "the," to insert "county," and the third in line 22 leave out from "which" to "extent" in line 23. The effect of this Amendment will be to make that part of the clause read—

"The County Council may in the case of any small holding, instead of offering it for sale, offer to let it in accordance with the Rules under this Act."

THE CHAIRMAN: Order, order! The Amendment is inconsistent with the action of the Committee on previous Amendments.

MR. FRANCIS STEVENSON: I submit, Sir, that the first part of the Amendment would be in order, and I trust that this Amendment will be accepted by the Government, because the sub-section as it now stands deals only with abnormal conditions, whereas this Amendment is intended to meet cases which are not abnormal, but normal. The first words in the section appear to be more or less unnecessary, and I think they might very well be omitted. Accepting this Amendment will not interfere with the subsequent Amendment of the right hon. Member for Bradford (Mr. Shaw Lefevre).

Amendment proposed, in page 2, line 18, to leave out from the word "where" to the word "tenants," in line 22.—(Mr. Francis Stevenson.)

Question proposed, "That the words proposed to be left out stand part of the Clause."

\*MR. CHAPLIN: The hon. Gentleman said there would be no difficulty if I accepted this Amendment; but there is this difficulty, that it raises practically the question we have been discussing the last hour and a half, and on which we have already voted.

MR. SHAW LEFEVRE: The object of my hon. Friend's Amendment is that in the case of holdings under ten acres the Local Authority should have absolute freedom to either sell or let.

\*MR. WINTERBOTHAM: I do not care to make an appeal to the right hon. Gentleman, who has made no concession yet; but I want to recall what he promised. He said he would carefully consider the question, and try to meet us when we got to Sub-section 2 of Clause 3.

\*MR. CHAPLIN: I am going to make a concession directly, by accepting the Amendment of the right hon. Member for Bradford (Mr. Shaw Lefevre).

\*MR. WINTERBOTHAM: We already have that in black and white; but it was after you had accepted the Amendment that you promised to further consider the matter. A long discussion was finished up with these words by the right hon. Gentleman—

"I take it to be a general understanding that leasing powers should be included in the Bill in respect of all holdings where no buildings are necessary. I should be perfectly willing to fairly and fully consider that point, though without absolutely pledging myself upon it."

I want to know what the result of this "full and fair consideration" is. When the Amendment of the right hon. Member for Bradford is accepted the County Council will have to be of opinion that persons desirous of buying and themselves cultivating small holdings are unable to buy. How unfair that is to the agricultural labourer! There might be many labourers to whom the County Council might say, "You have £20 in your pocket and you can buy." But the man might have a large family, and therefore prefer to rent, or he might have views as to his future, and, therefore, not wish to tie himself to one spot of land or one parish. Why should you prevent him



being a tenant for the first few years, and then buying if it proves to be to his interest and if he likes? We want to make it clear by this Clause that the County Council shall have absolute power to let up to ten acres, where no buildings are required, to persons desirous of cultivating without any other condition.

SIR UGHTRED KAY-SHUTTLEWORTH (Lancashire, Clitheroe): The right hon. Gentleman is going to accept the Amendment of my right hon. Friend, and I cannot see why, if he is going to admit that some of the small holders shall be tenants, he should keep in the words "buying and." The right hon. Gentleman has already conceded the point, and if he will not drop all the words of the Amendment, he might drop out the words "buying and."

\*MR. CHAPLIN: The words "buying and" are in reference to Clause 1, but I am prepared to leave out those words.

MR. FRANCIS STEVENSON: If the right hon. Gentleman will drop those words, I withdraw my Amendment.

Amendment, by leave, withdrawn.

Amendment proposed, to leave out the words "buying and."

Amendment agreed to.

MR. SHAW LEFEVRE: I move the Amendment which stands in my name.

Amendment proposed, in page 2, line 20, to leave out all after "Act," to "the," in line 22.—(Mr. Shaw Lefevre.)

Question proposed, "That the words proposed to be left out stand part of the Clause."

Question put, and negatived.

MR. ESSLEMONT: I beg to move the omission of the word, "In the case of any holding which does not exceed ten acres in extent," my object being that the County Council shall have power to let holdings of larger extent than ten acres. Ten acres is an arbitrary limit, and I do not see why if they can let ten acres they should not be able to let eleven or twelve or any

*Mr. Winterbotham*

other number of acres. I hope the Amendment, which is a fair and moderate one, will be accepted.

Amendment proposed, in page 2, line 22, to leave out all after "may," to "extent," in line 23.—(Mr. Esslemont.)

Question proposed, "That the words proposed to be left out stand part of the Clause."

\*MR. CHAPLIN: The hon. Gentleman is quite right in saying that this is an arbitrary limit, but I have taken it because it was recommended in the Report of the Select Committee, and that appears to me a good reason in a case of this sort, as opposed to the proposal of the hon. Gentleman, which fixes no limit whatever. I cannot accept the Amendment, as I think it very undesirable that land should be let to any extent.

\*SIR W. FOSTER: A great many of us think that the ten acre limit is much too low, and I think the discussion might be much simplified if the right hon. Gentleman would extend the limit to 20 acres. I am sure that this would be a concession on the part of the right hon. Gentleman which would be very acceptable on this side of the House, and very acceptable in the country generally, to the agricultural labourers, and other people concerned.

(10.51.) MR. J. CHAMBERLAIN: The claim is made on behalf of the agricultural labourer, of whom we have heard a good deal in the course of this Debate; and we are told that the agricultural labourer is a person who, by no conceivable circumstances, can be expected to have saved any considerable amount of money. We are, therefore, told that this Bill for the creation of small owners is perfectly useless, because the agricultural labourer who has not saved any money would not be able to pay the small sum which would be required as a deposit in order to reap the advantages conferred by the Act. And then comes the hon. Member who has just sat down, and other hon. Members, who claim that this same pauper agricultural labourer—"No, no!"—for that is their own statement—

SIR W. FOSTER: No, no; not pauper.

MR. J. CHAMBERLAIN: Pauper in the sense of being poor. That this poor agricultural labourer, who has no capital whatever, should be put in possession of a tenancy of 20 acres. Very well, how much capital is required to work a farm of 20 acres? In order to work a farm of 20 acres, so that it may pay, a man must have at least a capital of £200. If he has a capital of £200, I say it would be very much better for him and very much better for the country that he should become a small owner under this Bill.

(10.52.) SIR W. FOSTER: My point is this—the right hon. Gentleman has endeavoured to misrepresent what I said.

THE CHAIRMAN: Order, order!

MR. J. CHAMBERLAIN: I submit to you, Sir, if that is in order? The hon. Member says that I have endeavoured to misrepresent what he said.

THE CHAIRMAN: I have called the hon. Member to order, and I must ask him to withdraw.

\*SIR W. FOSTER: The point I wish to raise—"Order, order!"—I withdraw at once to satisfy the Chair. What I wish to say is that my point was not put in the way in which I intended it to be put. I would add that I hope the agricultural labourer will not be limited to ten acres; and I appeal to the right hon. Gentleman opposite to allow him to have an opportunity of getting beyond that limit. A man may be poor at the commencement, and yet he may in time, by his industry, be capable of adding on five acres, and later on he may be able to take ten acres. We want him to have the opportunity of going on beyond ten acres up to twenty acres. Surely those who profess to be the friends of the agricultural labourer ought to sympathise with us in this. We have heard something about the ladder this evening. I want to make the ladder have one or two rungs more, so that the agricultural labourer can raise himself higher; and I think I

ought to have the sympathy of the hon. Member for the Bordesley Division, as well as of the right hon. Gentleman the Member for West Birmingham in this matter. I assure the right hon. Gentleman opposite that this is a concession which will be very useful and very popular in the country. The amount of money which the agricultural labourer requires to stock his land has been over-stated. He does not want £10 an acre, nor half of it. If an agricultural labourer has £40 or £50, it would be much better spent in the position of a tenant than in purchasing land in order to become the owner. It is to give him an opportunity of using his money to the best possible purpose that I ask the right hon. Gentleman for the small concession of extending the letting of it from ten acres to twenty acres.

(10.54.) MR. H. GARDNER: I venture to support the Amendment of my hon. Friend. I do so with some hope and confidence, because the right hon. Gentleman who is passing this Bill through the House, even in the last words he has used, seems to have more sympathy for the agricultural labourer than the right hon. Gentleman the Member for West Birmingham, because he has given us some hope that he will extend the limit of ten acres as I understand him only just now. The right hon. Gentleman the Member for West Birmingham has very much over-stated the amount of capital which would be necessary for an agricultural labourer to work a holding of 20 acres; and I speak of that with some experience. But if you take it at £200, as the right hon. Gentleman said, it is quite obvious that to work 100 acres he would require £100; and my experience of the agricultural labourer is that it would be as difficult for him to produce £100 as £200. Therefore, if the right hon. Gentleman's idea of the amount of capital is a correct one, and that we must adopt the limit of ten acres which he prefers, it would be equally difficult for the agricultural labourer to work that quantity as it would be to work 20 acres.

\*(10.56.) COLONEL EYRE: In considering the letting value of land, the hon. Gentleman entirely forgot the value of the tenant right, which, in all probability, taking an average clay farm and the four-course system, would range from £7 to £1 or £2 an acre. He omitted that altogether from his calculation, and the right hon. Gentleman the Member for West Birmingham is perfectly right.

(10.57.) MR. ESSLEMONT: Why, we were told not long ago by many right hon. Gentlemen that it was quite possible for an agricultural labourer, a saving man, to work his way to a farm which would employ a pair of horses, and the hon. Member for Forfarshire, who ought to know something about these matters, said that was a very proper limit for him to go to, namely, a farm that he could work with a pair of horses. But now we have the dictum laid down that we are not going a step beyond ten acres for the agricultural labourer. If that be so, what use is the right hon. Gentleman's Bill? I admit that some limit should be fixed; but what I fail to see is that the right hon. Gentleman has given any reason whatever why we should have the limit of ten acres, and why it should not be left to the discretion of the County Council either to let or sell according to the circumstances of the case. There is no reason that I can see for this limit except the Report of this Committee, but the Report of this Committee is not like the law of the Medes and Persians which could not be changed.

\*(11.0.) MR. CHAPLIN: I am inclined to doubt very much if this concession would be anything like so very acceptable to the agricultural labourers as hon. Gentlemen seem to imagine. I dare say I have had as many opportunities of meeting the agricultural labourers and of obtaining their views, especially on the merits of this Bill, as any Gentleman in this House. I can say without exaggeration that I have met some hundreds, I might say thousands, of agricultural labourers, and

explained the Bill to them precisely as it stands now; and from all the agricultural labourers that I have met, both in public and in private, I never heard one single suggestion made to me that the limit of ten acres should be exceeded. The agricultural labourers are exceedingly practical men; they know perfectly well what they can do, and what they cannot do. They thoroughly understand the land and its management quite as well as any farmer in the country. I am perfectly confident of this, that if there had been any general desire, such as is supposed to exist among hon. Gentlemen opposite for an increase of the limit of ten acres to twenty acres, on the part of the agricultural labourers themselves, I should have been one of the very first to have heard of it. I must say that I agree altogether with my right hon. Friend the Member for West Birmingham. He was instrumental in forwarding through the Committee the Bill which is now before the House; and I do not think that anybody deserves more credit for this Bill than the right hon. Gentleman the Member for West Birmingham.

(11.1.) MR. BARCLAY: I would be disposed to support this Amendment in the interest of the County Councils. If the County Councils were unable to let all their land, the Amendment would have this effect, that it would enable them to let the surplus to some person to whom land had been already let, and who might want more. The clause, as it stands, would, as I understand it, prevent them from doing this.

(11.2.) MR. HALDANE: This is a matter of some importance, and as it is now after eleven o'clock, I beg to move to report Progress.

Motion made, and Question proposed, "That the Chairman do report Progress, and ask leave to sit again."—*(Mr. Haldane.)*

(11.3.) MR. A. J. BALFOUR: I entirely understand the wish of hon. Gentlemen opposite to get to the other important business.

before the House, and I desire to meet their views by proceeding as rapidly with the discussion as possible. But I think we might without difficulty dispose of this clause before the other important business is taken, as I believe, and my right hon. Friend (Mr. Chaplin) says, there is nothing controversial in the rest of the clause.

(11.3.) MR. CHANNING: In supporting the Motion to Report Progress I must remind the right hon. Gentleman that he said he did not attach much importance to the number, ten acres. I think the discussion has not gone sufficiently into the merits of the case whether or not we should enlarge the ten acres to twenty acres, unless the right hon. Gentleman is prepared to accept some limit which would meet the views of other hon. Members. I think it is only quite reasonable that you should report Progress in order to afford time to consider the question, and I beg to support the Motion.

\*(11.4.) MR. CHAPLIN: It is true that I made that statement to which the hon. Gentleman refers. But the reason why I have not accepted the Amendment is because, with great respect to hon. Gentlemen, I have not heard any reason advanced in support of the Amendment, contrary to my own knowledge, which would induce me to do so. I admit that this is a matter of very extreme importance, and if I can see my way to meet the views of hon. Gentlemen I shall be willing to accept 15 acres. I also wish to point out that I made one error in the observations which I made just now as to the character of this clause. There is, I observe, an Amendment standing in the name of the hon. Member for Devon which is an important Amendment.

SIR W. FOSTER: If "fifteen acres" were inserted that would meet our views.

(11.5.) MR. HALLEY STEWART (Lincolnshire, Spalding): I wish to ask the right hon. Gentleman whether he will bring this clause into harmony with the 2nd sub-section of Clause 1 by fixing a money limit as well. The sub-section would then read—

"Which either does not exceed fifteen acres, or if exceeding fifteen acres, is of the annual value, for the purposes of the income-tax, not exceeding £15."

(11.7.) DR. CLARK: I hope the right hon. Gentleman will now agree to report Progress, in order that this question may be considered by the Minister for Agriculture, and because the understanding was that at eleven o'clock we would begin to discuss the very important question raised by the motion of my hon. Friend the Member for East Lothian.

MR. CAMPBELL-BANNERMAN: I do not think my hon. Friend has heard what the right hon. Gentleman has said. He has undertaken, in order to close the discussion, to make it fifteen acres.

MR. HALDANE: I do not think fifteen acres is what we should like in Scotland, but in order to shorten discussion I shall ask leave to withdraw my Motion.

Motion, by leave, withdrawn.

MR. ESSLEMONT: I am wishful that the Committee should recognise that we are willing to meet concessions as far as possible, and although I can see no harm in removing the limit altogether, I shall in the interests of business withdraw my Amendment.

Amendment, by leave, withdrawn.

Amendment proposed, in page 2, line 22, after the word "which," to insert the word "either." — (Mr. Halley Stewart.)

Amendment agreed to.

Amendment proposed, in page 2, line 23, to leave out the word "ten," and insert the word "fifteen." — (Mr. Chaplin.)

Amendment agreed to.

Amendment proposed,

In page 2, line 23, after the word "extent," to insert the words, "or if exceeding fifteen acres, is of the annual value, for the purposes of the income-tax, not exceeding £15." — (Mr. Halley Stewart.)

Amendment agreed to.

(11.10.) MR. JESSE COLLINGS: My Amendment is a very simple Amendment, and one which the right



hon. Gentleman and the Committee will, I think, be able to accept without any difficulty.

Amendment proposed,

In page 2, after the word "Act," in line 24, to insert the words,—*"The County Council shall have power to let one or more small holdings of not more than fifteen acres each to a number of persons working on a co-operative system, provided the same be approved by the County Council."*—(*Mr. Jesse Collings.*)

Question proposed, "That those words be there inserted."

\*(11.12.) MR. CHAPLIN: There is no necessity for this Amendment as far as I understand it. There is nothing to prevent the County Council doing the very thing which the hon. Member proposes in his Amendment.

(11.13.) MR. JESSE COLLINGS: It is quite true that they can let 15 acres to A, 15 acres to B, and 15 acres to C; but according to the Bill, as I read it, they cannot let three or four 15 acres conjointly to a number of people. The Amendment cannot do any harm.

\*MR. CHAPLIN: I accept it.

DR. CLARK: I beg again to move that you report Progress. A quarter of an hour has already passed since the hour agreed upon by the right hon. Gentleman for the discussion of the Scotch Universities Commission, and I trust he will give us the time agreed upon, and not keep us here till three or four o'clock.

MR. J. CHAMBERLAIN: I trust that, as there is no objection to this Amendment, it will be allowed to pass. That will not cost any time, whereas if we are to discuss the question a considerable time will be wasted. The hon. Gentleman below me will not find that there will be any delay if he allows the Amendment to be carried to which there is no objection.

MR. SYDNEY GEDGE (Stockport): Will the hon. Member for Bordesley explain what he means by the words "the same" in his Amendment?

DR. CLARK: I beg to move that the Chairman do report Progress. It was a clear understanding that we should commence the Scotch Universities Commission at eleven o'clock.

*Mr. Jesse Collings*

Motion made, and Question proposed, "That the Chairman do report Progress, and ask leave to sit again."—(*Dr. Clark.*)

MR. A. J. BALFOUR: I must remind the hon. Member that what I said was that, if we made good progress with the Bill, at eleven o'clock or soon after I would report Progress. I hope the hon. Gentleman will not persist in his proposal.

MR. CAMPBELL-BANNERMAN: I would point out to the right hon. Gentleman that something else has happened. We were engaged in discussing a knotty point whether the Committee should accept ten acres or fifteen acres. The right hon. Gentleman in charge of the Bill said, "If you bring this discussion to an end, in order that we may pass to the other Bill, I will accept the Amendment." It was understood both on the part of the Government and the Members on this side of the House that when that matter was disposed of we should pass to other business. If we are to go on and finish the clause, we do not know how long the other Amendments may take, and in the end nothing substantial will have been done.

\*MR. CHAPLIN: The right hon. Gentleman has misunderstood what I said. What I said was that we should finish the clause, there being only five Amendments on the Paper, some of which I had already agreed to accept. I propose to accept the Amendment of the hon. Member for Bordesley.

Question put.

(11.18.) The Committee divided:—Ayes 117; Noes 192.—(Div. List, No. 113.)

Question again proposed, "That those words be there inserted."

\*(11.28.) DR. FARQUHARSON: As a pledge was given that the discussion on the Scotch Universities question should come on at 11 o'clock, and it is now half-past eleven, I shall move that the Chairman do now leave the Chair.

Motion made, and Question proposed, "That the Chairman do now leave the Chair."—(*Dr. Farquharson.*)



MR. A. J. BALFOUR: I would point out that the hon. Member cannot make the Motion in that form, and that of the 30 minutes since 11 o'clock, 25 of them were occupied in the preliminary discussion of the Motion which has just been rejected. For that reason I cannot agree to the proposition, and I hope the hon. Member will withdraw it.

THE CHAIRMAN: Does the hon. Member withdraw his Motion?

\*DR. FARQUHARSON: I will withdraw it and move to report Progress.

Motion, by leave, withdrawn.

Motion made, and Question proposed, "That the Chairman do report Progress, and ask leave to sit again."—(*Dr. Farquharson.*)

Motion agreed to.

Committee report Progress; to sit again to-morrow, at Two of the clock.

### MOTIONS.

#### UNIVERSITIES (SCOTLAND), ORDINANCES.—RESOLUTION.

\*(11.33.) MR. HALDANE (Haddington): In rising to propose the Motion which stands in my name, I wish to explain the spirit in which I bring it forward. The last thing I desire to do is to cast any reflection on the distinguished men who have given their services and devoted so much trouble to the work of this Commission. It would be impossible for the House to undertake the task of tinkering the Ordinances. It can only consider general principles in connection with them, and it is in that spirit that this Motion is brought forward. Now, the Commissioners have issued certain Ordinances, and have left aside other Ordinances which deal with the Universities and their machinery, and I submit that until we have them all before us we cannot come to a judgment with regard to the whole scheme. The points of substance on which I rely are points which were raised in the discussion on the Universities (Scotland) Act, 1889. There were certain

points then raised upon which the Scotch Members were practically unanimous. One of them was that there should be a very large extension of the teaching power of the Universities. I do not mean necessarily in extra-mural teaching, but in real organisation of the professoriate to enable professors to cover more topics, and with a view to increasing the number of professors. The Scotch Universities stand in a peculiar position. They have relatively large funds; but they pay, or did pay, under the old system some very high salaries, and we felt that in the future we ought to use the funds more widely and economically in reorganising the teaching staff not only in relation to extra-mural teaching, but in reorganising and multiplying Chairs. There was another point we were all agreed upon. We desired to see the examination system of the Universities improved. We all remember the Debate on the recent occasion in reference to a teaching University for London, and there were two points of view. The one sought to provide a purely teaching body, the other an examining body, the teaching machinery to be altogether subordinate. But in regard to the Scotch Universities, teaching is a very important part of the question. We want to see teaching reorganised and improved, and the addition of a stronger examining body not entirely independent, but standing in a sort of reciprocal connection. Then we desire to see a chest established into which all fees of students should go, and that the contents should be used in apportioning the salaries of professors and lecturers in a way which does not obtain under the present system, where fees are received by individual professors. These are the three main points upon which I think we were all agreed, and we expected to see that carried out in the Ordinances of the Commission. But when we come to these Ordinances we find ourselves in a great difficulty. It may be that the Commissioners intend to appoint a University chest. I have heard that this is so, but the Ordinance for the purpose is not before us, and we have no opportunity of saying what the position will be in regard to lectureships, or if profes-

study to pathology and physiology, and had attended some course of medicine. But after the Ordinance had been before the professors, a distinct change was introduced and I do not know on what grounds. Pharmacy has been reduced to 25 courses, which I say is wholly insufficient for proper study. Then the examinations in *Materia Medica* and therapeutics are transferred from the end of the fourth winter session to the end of the third winter session, and before the student knows anything of pathology. It is impossible to expect a student to have any intelligent or coherent apprehension of the action of drugs on diseases when he has no notion of the diseases these drugs are supposed to affect. As well expect to find professors in astronomical science without knowledge of mathematics, or a student to pass an examination in surgery without knowledge of anatomy. It is hopeless to expect any efficiency in the examining under such conditions; it is against the experience of those who know anything of the subject. The professors of Glasgow, Edinburgh and Aberdeen have petitioned in favour of the *status quo* that examinations shall be held at the end of the fourth year, and in the same sense there has been a petition from all the provincial lecturers on *Materia Medica*, as well as from all except one in London. I can say from my own experience as a lecturer that it is hopeless to expect a student to know therapeutics intelligently before he has attended a course of pathology and medicine. I shall be curious to hear what the objections are to restoring *Materia Medica* to its old position. I do not want to express any want of confidence in the Commissioners, who, I believe, left the consideration of the subject to the two medical members of the Commission. They are gentlemen of the highest ability and professional standing. Sir Arthur Mitchell is an acknowledged expert in lunacy matters, and as such I with great pleasure admit he stands at the top of the profession. Dr. P. H. Watson is equally eminent as a surgeon. Should I require a limb removed with celerity and safety there is no man I would rather trust myself to than Dr. Watson. But

*Dr. Farquharson*

neither of these gentlemen carry authority in reference to the teaching of *Materia Medica* which should out-balance the opinion of all the professors of the Scotch Universities, and the almost unanimous opinion of lecturers in favour of the old plan. I may be told I am making too much of *Materia Medica*, but I say it is quite impossible to make too much of it. The treatment of diseases by drugs is the culminating point, the apex in the medical student's career. All the study culminates in the making of prescriptions. It is all very well for a man to say he has no faith in drugs. I do not say that, and no man of experience will deny the benefit of a judicious use of remedial drugs. The public demand drugs, and medical men fulfil their expectations. It is not always sufficient to cut off a man's leg or his liquor, drugs must be used to cope with diseases, and so I say the study of the medical student culminates in his written prescription for his patient; and this is a question of the highest importance not only to the student but to the general community, or that portion medical men have under their charge. I do not ask for anything revolutionary; I only ask for the replacement of the old *status quo*. I second the proposal of my hon. and learned Friend, with whose remarks I generally though not absolutely agree, to refer these Ordinances back to the Commissioners for reconsideration. To adopt this Ordinance (15) will be to take a retrograde step—it will injure medical teaching and practice; and I strongly urge upon hon. Members that the House will incur a serious responsibility if it backs up the Commissioners against the united opinion of those experts best qualified to form an opinion on the subject.

\*(12.1.) MR. JEBB (Cambridge University): I should scarcely have presumed to intervene in this discussion were it not for the circumstance that during several years, and until a recent date, I had the honour of holding a professorship in the University of Glasgow, and so have had the opportunity of forming a judgment upon

some at least of the matters now under discussion. I shall not attempt to cover the whole field presented by these Ordinances. I will deal with only a few definite points, and with these as concisely as possible. Some of the points mentioned by the hon. Member for Haddington (Mr. Haldane), whose speech I listened to with great interest, I will notice; but on the other hand I will not attempt to follow the hon. Member for West Aberdeenshire into the medical department of the subject. Nor shall I confine myself to the points noticed in the speeches of those two hon. Members, because we know that the grounds upon which these Ordinances are exposed to criticism within and without the House extend over a still larger area. At the outset I would pray for that indulgence which the generous usage of the House extends to one who addresses it for the first time, and I appeal to hon. and right hon. Gentlemen opposite to dismiss from their minds any prepossession they may be disposed to entertain towards one who as a former professor in a Scotch University might be supposed to hold a brief for academic privilege. Like hon. Gentlemen opposite, I approach the subject with no thought or aim but that of discovering what is for the true interests of the Scotch Universities, and though I am not so sanguine as to hope that I shall convince hon. Members opposite, I am sure they will bear with me while I try to state clearly some of the reasons which weigh with me in supporting the Ordinances and declining to assent to the Motion now before the House. Now, there can be no doubt that one of the broadest grounds on which exception has been taken to the Ordinances as a whole is the ground which was indicated, if I am not mistaken, in the vigorous speech of the hon. Member for Caithness (Dr. Clark) on Thursday afternoon, namely, that the Ordinances as a whole do not recognise the principle of extra-mural teaching. Before touching on the question of the lecturers and assistants to which the hon. Member for Haddington has referred, I think it is indispensable to indicate the particular reasons which have weighed with

thoughtful men like the Commissioners against admitting the principle of extra-mural teaching into their proposals for legislation. It will be within the memory of many that the principle of extra-mural teaching, or rather the question of extending that principle from the Faculty of Medicine to the Faculty of Arts, was one of the questions before the Commission of 1878. They dealt with some of the arguments for and against the principle of extra-mural teaching in their Report, Section 9. The first argument in favour of the proposal was an argument from analogy. No one questions that the principle of extra-mural teaching has worked well in the Faculty of Medicine; and so it is argued by friends of the principle, "Why should it not work well in the Faculty of Arts?" Then the second argument is that competition would be a good thing for the professors themselves, and would afford an incentive to exertion where such might be needed. Then, thirdly, it has been pointed out with great force that if a particular professor happens to be inefficient it is hard that the student should have no alternative teaching. Now, with reference to the first and second arguments, counter-arguments were brought before the Commission of 1878. As to the alleged analogy between Medicine and Arts, it was pointed out the analogy was not a real one. The study of medicine is a professional study. The medical student, when he goes in for his examination, has his information tested, and it is of little moment where the information was acquired provided he has it. Beyond the examination is the ordeal of medical practice. The medical student has lost his time if his study, besides enabling him to pass his examination, does not suffice to render him an efficient practitioner. But the Faculty of Arts is in a different position—its aim is a liberal education, and there is no such test as there is for the Medical Faculty. It is true the examination in Arts can, to a certain point, test the knowledge of the student, and to a certain point enable the examiners to judge of the degree of his mental cultivation; but still it is of extreme importance that there should be

a guarantee that the quality of the teaching is such as not only to enable a student to pass an examination, but to educate him. We must inquire, then, what would be the real effect of such competition as extra-mural teaching in Arts would introduce? What would be the effect on the extra-mural teacher on the one hand and the intra-mural professor on the other? Those who know Scotch and English Universities will agree with me—I am sure my hon. Friend opposite, the Member for South Aberdeen (Mr. Bryce), will do so—that it is of the greatest importance to the efficiency of a University that its teaching should not be cramped and fettered by habitual regard to examinations. That has hitherto been one of the best features of the Scotch Universities. The professors have taught a certain proportion of work required for examinations, but they have taught a great deal more besides; and, moreover, the standard of their teaching, both in regard to the ordinary degree and with a view to honours, has been higher than the standard required in the respective examinations. Now, suppose extra-mural teaching was instituted, what will be the quality of the teaching given as a general rule by the extra-mural teacher? Let me at once meet a possible objection. I am not assuming that among the extra-mural teachers there will not be a considerable number of men whose aims in teaching are as high as those of any professor, and whose capacity is adequate to such aims; but I wish to point out that by force of circumstances, by stress of competition with other extra-mural teachers and with professors, they will be practically compelled in almost all cases to teach with a view to examinations. What will be the effect of that on the professors? The professor who finds his class dwindling under stress of such competition will inevitably be tempted to meet his extra-mural rivals by lowering his standard. I hope and believe that in most cases this temptation will be resisted; but the fact that the proposal will expose professors to that temptation is in itself an argument against the proposal. It was on the consideration of these arguments that the Commission of 1878

*Mr. Jebb*

came to the conclusion that it was not, on the whole, expedient to introduce extra-mural teaching into the Faculty of Arts. But they did allow full weight to one argument in its favour, namely, that if a professor is inefficient the student should have an alternative resource. Ordinance 17 destroys that argument, because by Section 9 the University Court is enabled to appoint a lecturer in a subject already taught—

“When, from the number of students, or any other cause, it appears to be necessary that provision should be made for increasing the teaching power in any of the said subjects (subjects which are already taught) within the University.”

Therefore, if the professor of a particular subject happens to be inefficient, it will be in the power of the University Court to appoint a lecturer in his subject. But there is a still larger question to be considered. What would be the probable effect on the general character of the Scotch Universities? If the lectures of the extra-mural teachers are to count for graduation, there can be no reason to restrict the privilege to such extra-mural teachers who reside in the University towns or their immediate neighbourhood. It was observed on Thursday by the hon. Member for Caithness that many a schoolmaster in Scotland is capable of teaching for a University degree. I entirely agree with him, and I am sure he would not confine that statement to schoolmasters living at St. Andrew's, Aberdeen, Edinburgh, and Glasgow. But if extra-mural teachers living anywhere were to teach for a University degree, then students need no longer resort to the University for teaching, and the University would tend, so far, to become a mere centre for purposes of examination. The Universities of Scotland have hitherto been teaching as well as examining bodies, and I am sure that the great majority of their friends desire that they should preserve that character. I sympathise with the reasonable wish which is at the basis of the demand for extra-mural teaching, though I do not believe that extra-mural teaching is the best way to carry out that wish. There is nothing, I think,



more desirable, more urgently needed, than that the Scotch Universities should open an academic career to such of their own graduates as have proved pre-eminent capacity for such a career; and one of the grounds upon which I most cordially welcome the Ordinances—though I do not say they are perfect—is that they take a long and most important step in that most desirable, I might say necessary, direction. Now, I invite the House to consider briefly what will be the effect of Ordinance 17 in so far as it relates to lecturers and assistants. A lecturer can be appointed by the University Court either in subjects not already taught within the University or in subjects which are already taught. Objections have been made to these regulations on several grounds, and I will mention the chief of these, so far as I am aware of them. First, it is urged that there will be no competition between the lecturer and the professor, and that, therefore, the competitive principle on which the friends of extra-muralism insist is not recognised. Now, that is not the case. When the subject of the lectureship is one not already taught in the University, the lecturer will have the field to himself; but when it is a subject already taught, then the lecturer will compete with the professor in one of two ways. If the lecturer takes a special branch of the subject, which has not been usually or fully covered by the professor, such special branch will be an alternative which the candidate for a degree may take, instead of the branch or branches taught by the professor. Here, then, there will be indirect competition, since the student may choose between the part taught by the lecturer and that taught by the professor. If, on the other hand, the lecturer traverses the same ground as the professor, then there is, of course, direct competition. It is true that, under Section 10, the University Court may determine that the teaching of a lecturer shall not count for graduation; but the case thus contemplated is an exceptional one—namely, when the subject is too narrow to be fairly allowed as an option in graduation. The whole spirit of the Ordinances shows clearly

that, as a rule, the lectures of the lecturer are intended to count for graduation just as much as those given by the professor. The second objection raised is that the lecturers will have no independence—that the lecturers will be dependent on the Senatus—that is, the professors. The 12th section of Ordinance 17 provides—

“They (the lecturers) shall be bound to conform to all regulations with respect to their teaching arrangements which may be made from time to time by the Senatus, after consultation with the Board of Studies or the Faculty concerned, and any questions between them and the professors shall be determined by the Senatus, with appeal to the University Court.”

This regulation merely expresses the fact that the lecturers are to hold a definite place as members of an organised academic body. Each individual professor is similarly subject, in respect of teaching arrangements, to his Board of Studies, and so ultimately to the Senatus. (Ordinance 11, Sect. 18.) Without such an arrangement the work of a large University staff could not be carried on; and I venture to think that the so-called “independence” would in practice be another name for academic anarchy. Again, it has been argued that the lecturers will be reduced to the status of assistants to the professors; but that is really an inversion of the fact. Under Section 13 an assistant can be made also a lecturer; but in such a case it will be the status of the person who is an assistant which will be raised, not the office of the lecturer that will be lowered. It is further objected that, when a lecturer is also an assistant, his tenure of his lectureship will be insecure, because, if the professor does not recommend his assistantship to be continued at the end of the year, it will be difficult for him to retain his lectureship. But in Ordinance 17, Section 11, it is provided that the University Court shall be the “sole and final judges” of any question of *culpa* in a lecturer. The Court would not dismiss a lecturer merely because he had proved unsuited to an assistantship. A man might be unsatisfactory as an assistant, and yet be a very good lecturer. Further, the University Court will have entire financial control, and could compensate a lecturer whom it held to have been



unjustly deprived of his assistantship. A most important feature of these proposals is the improved status given to the assistants; they are made officers of the University, and the University Court can grade them in regard to emoluments. It is true that the University Court appoint assistants on the recommendation of the professors; but it is necessary that the professor should be satisfied as to the competence of the assistant, and should be able to work harmoniously with him. Then as to the new Boards of Studies. It is objected that these are intended to give to the Senatus a stricter control over the students and non-professorial teachers. It is enough to observe that the object of these Boards of Studies is to insure a higher organisation of studies. The lecturers are represented upon them, and they give a better position to the lecturers by associating them on a footing of equality with the professors. It is the reverse of the fact to say that these Boards are in the interest of the professors as distinguished from the lecturers. Exception has been taken to the complex restrictions imposed for degrees in Arts; but I ask the House to remember that these restrictions are necessary, because of the numerous options as to subjects which the new Ordinances offer to students. They are necessary in order that the student may not pick out easy subjects, or parts of subjects, and form for himself too easy a road to a degree. The restrictions are to insure that the various courses shall be fairly equivalent in point of difficulty, and that each course shall have a certain unity. Lastly, it is objected that too much power is given to the Senatus or professorial body, and too little to the University Court; but that is contrary to the fact. The University Court is the supreme administrative body, and it is representative in the most comprehensive sense. In Edinburgh and Glasgow it consists of 14 members, and represents the General Council, that is the whole body of graduates; it represents the students, through their Lord Rector and his assessor, usually appointed after consultation with the students; it represents

*Mr. Jebb*

the Municipal Authority in the person of the Provost or Lord Provost and a member elected by the Town Council; and it represents the Senatus or teaching body. This Court, thus thoroughly representative, has absolute control of the finances. The Senatus is given the functions of teaching and discipline; but on any point within the competence of the Senatus there is an appeal to the University Court. The Ordinances simply follow this general demarcation of provinces, as laid down in the Act of 1889. Viewed as a whole, these Ordinances represent an attempt to promote the natural growth and expansion of the Scotch Universities from within. They represent an attempt to bring about a higher, larger, and more effective organisation; one in which a place shall be found for some, at least, of the ablest and most qualified teachers who can be found among the graduates of the Universities; an organisation, too, in which a place shall be given to every branch of study which ought to be included in an academic system. In contrast with such an organisation, the extra-mural system would surround the Universities with an indefinitely large fringe of teachers not related to any system, but each following the impulse of individual enterprise, each selecting his subject at will, less with a view to the interest of the academic commonwealth than to the prospect of successful competition. Speaking from personal knowledge of at least one Scotch University, I do not hesitate to say that these Ordinances as a whole are a large and important measure of reform. I respectfully thank the House for the indulgence shown to me; and, in conclusion, I earnestly appeal to hon. Members opposite to consider whether the good contained in these Ordinances does not far outweigh such defects as they may find there. I ask them to reflect whether the object which they and I have in view—the welfare of the Scotch Universities—will not be better promoted by now accepting these large benefits, than by a course of action which, if successful, might possibly defer the prospect of all academic reform in Scotland to an uncertain future.

\*SIR H. ROSCOE (Manchester, S.) : I must congratulate the hon. Gentleman who has just sat down upon the admirable and lucid speech to which I am sure everyone in the House must have listened with the greatest pleasure. Also I have to thank the two hon. Gentlemen who have spoken from this side of the House for the kind way in which they have alluded to the efforts which the Commissioners made to bring about a really lasting and useful reform in Scotch Universities. As to the special point, to which the hon. Member for West Aberdeenshire (Dr. Farquharson) drew attention, I must say I think the House of Commons is not the proper body to discuss the intricate and difficult questions in relation to *materia medica*, whether it should have a course of 50 or 25 lectures, or whether the examination should be taken at the end of the third or of the fourth year of study. But I may assure my hon. Friend that the subject has received the most deliberate attention of the Commissioners, and that it was not without consultation that the change was made in this matter after the draft was passed. The Commissioners received both oral and written communications, and it was on the balance of evidence, after careful consideration, that the Commissioners decided to place *materia medica* in the position it now occupies in the Ordinance. But the particular points raised will, doubtless, be discussed—they ought to be—before the Privy Council, and parties will have the opportunity of bringing the subject forward, and of being heard by counsel—the right and proper course to take. With regard to the Medical Ordinance generally, I should like to say that the object of the Commissioners has been to lighten the burden which has hitherto pressed heavily upon medical students. We all know the complaints made, that the students are overburdened with lectures and work, and our object has been to put forward a curriculum by which a sound medical education can be given without overburdening the students with too heavy a mass of lectures and medical work. Passing from this to a subject mentioned by the hon. and learned Member for Hadding-

ton (Mr. Haldane), who complained, and justly complained, that the Ordinances are not complete, I may say that no one can regret more than the Commissioners that this is so. But it was impossible for the Commissioners to report fully and wholly until the financial position was made clear to them, and it was but a few days since that this was made clear. Until the sum of £30,000 was voted, the total amount the Commissioners had in hand for any improvements which they might make was £14,000. With this sum they had to make the alterations, and the number of new professorships my hon. Friend referred to could not be created. For this and no other reason it was necessary either to wait until the whole matter was finished, or to issue the Ordinances one by one. I think we took the right course in issuing the Ordinances as we did. The hon. Member (Mr. Haldane) has urged the case of the German Universities. Now, we all know what the German Universities are. We know that they are supported entirely by the State, and that the whole system is one which in Scotland it is absolutely impossible at the present moment to endeavour to imitate. The number of professors in German Universities is, as my hon. Friend has stated, very large, and it is obvious that it was perfectly impossible for the Commission to attempt to apply the German system to Scotland. The question of extramural teaching has been so ably handled by the hon. Member for Cambridge University (Mr. Jebb) that I think I need say nothing on that point. In regard to the teaching of women, the hon. Member (Mr. Haldane) complains that women are not placed on exactly the same footing with men. I must say that is not the case. We have given them certain retrospective privileges which are not allowed to men, and we have endeavoured to do all we can to place them on exactly the same footing as men in the future. We have had no objection raised by women themselves, and we believe that from what we learn they are perfectly satisfied with the Ordinances as they stand. I trust the House will support the Commissioners. Let me

add that the Commissioners have endeavoured to make an arrangement by which the professors shall not be directly dependent on the fees of their own classes. There will be a fee fund, into which the fees of the different Faculties will be thrown, and a minimum fixed salary will be apportioned out of the revenues of the University for each professor. A maximum salary will also be recognised, but this will depend upon the total fee fund. In all these matters I believe we have the support of public opinion, and meet a real desire, that while upholding the dignity of the professorship—a matter we consider of great importance—we should take care that the emoluments should not depend on the fees of the class, but be a fixed sum, determined by the welfare and success of the University as a whole.

(12.50.) MR. WALLACE (Edinburgh, E.): With admiration I listened to the speech of the hon. Member for Cambridge University in regard to conception, argument, and style, and I should have hesitated to rise in opposition to his line of argument but that I recognise in the hon. Gentleman himself a living refutation of his own argument. Is he not a brilliant example of the triumph of that extra-mural teaching identified with the two great English Universities? Are not the colleges in relation to the University of Cambridge a collection of separate houses for extra-mural teaching? Do not the colleges compete in those examinations which the hon. Member deprecates as the ruin of the highest culture? In my opinion, the Commissioners have erred in rejecting extra-mural teaching, and in that they have not carried out the spirit of the Statute, which mentions extra-mural teaching as, I think, to encourage it. I think in closing the door against extra-mural teaching the Commissioners are introducing the principle of protection into our scholastic institutions in Scotland. All the Scottish Universities are not equally provided with professors and teachers. They may, and some have, a larger number of teachers suitable to the different options given in Arts. The consequence will be that students desirous of degrees will flock to the better equipped Universities, still further im-

poverishing the poor and weakening the weak. It is important to have a choice of teachers, and I do not allow that the extra-mural teachers would be susceptible to those temptations the hon. Member has indicated. It is also foreign to the traditional character of the youth of Scotland that, ambitious of distinction, they should resort to the mere "grinder" or "crammer." I do not fear honourable competition in these matters; I refuse to believe that the competition will be degrading. Much may be said in favour of training your future supply of professors. To get the best men you must have the means of wide selection. It is unwise and foreign to our idea of a University to shut the teacher up in cloistered seclusion in the University, and I may suggest the importance of the diffusion of learning among the community. I know there are a great many people who owe a deal to the old curriculum. I think most of us think that the old curriculum has had a good effect on, and has done a great deal of good for, many of the present holders of it, and I think many may be under the impression that some of these new-fangled options perhaps promise more than they are able to perform. If I may quote the words of a distinguished holder I would say that they are more prominent in prospectus than they are likely to be in dividend. That preliminary examination is an actual discouragement, it is a positive discouragement to the degree that has been proposed for literature and language. This is certainly a most excellent option, but aspirants are compelled to go through the highest preliminary examination in five or six subjects as contrasted with the fact that some other degrees require only two subjects. And then the position in which these Ordinances leave the Greek language is a matter which fills me with melancholy. I am not one of those who insist upon compulsory Greek for all people and for all purposes. There are certain persons whom Nature has made incapable of appreciating Greek, whether compulsory or voluntary, and to insist upon forcing it upon such unfortunates is a cruelty and is unworthy of the end of the nineteenth century. But there are other people whose highest possible

usefulness in this world is bound up with a thorough knowledge and possession of the Greek language, and of all that is implied in the possession of that key to an immense repository of knowledge. I say people who insist upon compulsory Greek for all are not more foolish than those who refuse to have compulsory Greek for anybody. I hope there never will come a time in the history of this country when there shall not be under the *ægis* of our educational legislation a class of scholars suited to Greek, and to whom Greek is suited in order to keep alive—and here I am sure I shall carry with me the consent of every intellectual and thoroughly educated person in this Assembly, which of course means the whole Assembly which I am allowed to address—this great language. I hope there never will be such an evil day when one of the most important chapters in the history of man and in the history of human thought shall be a sealed book to any of the intelligent persons in such a country as this, but that they will, either through first hand or through the secondary evidence of friends whom they can approach—though they cannot obtain it as clearly and directly from this source as can be done from the original fountains of thought and beauty—obtain a knowledge of what the Greek community were enabled to bestow upon mankind for their everlasting instruction and delight.

(1.5.) MR. CRAWFORD (Lanark, N.E.): I think the main ground of complaint in the Debate to-night has been directed against the failure of the Commissioners to introduce extra-mural teaching. I would like, first of all, before touching upon that point, to acknowledge the assistance which the Commissioners have received from the eloquent remarks of my hon. Friend who has just sat down, on the subject of Greek. I think we all agree with what he said. We should have been glad to do more for Greek if we could, and I am glad he has answered by anticipation the objections of some hon. Friends of mine who consider that we have already done too much for Greek. With regard to extra-mural teaching,

I think I may test the weight of the arguments against it by the remarks which my Friend who has just sat down made with regard to the English Universities. He said with reference to the speech of the hon. Member for Cambridge University that he himself, his career and his speech, furnished the best argument that could be made in favour of extra-mural teaching. That is an argument which, I think, can hardly have been seriously advanced—certainly it could not be seriously advanced by anyone who was acquainted with the working of the English Universities. It is absurd to compare the college system of Oxford and Cambridge with the extra-mural teaching which is demanded now for the Scotch Universities. In the colleges of Oxford and Cambridge the students are *in statu pupillari*. They are under the care of the University, and they form members of a large and important corporation. We have no objection to see that system introduced into the Scotch Universities. We should welcome the establishment of more colleges in the University. There have not been in previous time more colleges than one in the Scotch Universities, and we have the amplest powers—and we shall be glad to see them exercised—of affiliating several colleges; but that has nothing in common with the licensing of individual men of whose qualifications very little may be known, and recognising their lectures for graduation. The point we start from is this: The Scotch Universities are teaching Universities. They have been teaching Universities, and, in our opinion, they ought to remain teaching Universities. We do not desire that they should be, or that they should approximate to be, mere examining bodies. If I am not mistaken, my hon. Friend who has just sat down, in the Debates when this Bill was passing through the House of Commons, boldly took up the view that Universities ought to be examining bodies. He took the view that we had no right to inquire where the knowledge was obtained so long as the knowledge was there. We respectfully and unanimously join issue with those who attack our Ordinances on this ground. We think that the Universities ought to be



primarily teaching bodies. Let me examine for a moment or two the observations against the Commissioners in this respect which were made by the hon. Member for East Lothian. He advocated, so far as I understood him, the system of the German Universities. He said, in the course of his remarks, that in the German Universities you find a large number of professors; that while in Scotland you might have twelve professors, in Germany you might have three times that number, and consequently that there were larger numbers of students. I have two observations to make upon that argument of the hon. Member for East Lothian. In the first place the Commissioners have no funds to establish professorships to that extent. If we had the funds, of course we should be very glad to do so. But I can go a great deal further than that. I would almost have said—if I had not thought it impossible in his case—that my hon. Friend the Member for East Lothian had framed his objections and drafted, mentally, his speech before he had read the Ordinances which he intended to attack, because he says that the Universities ought to have the power of selecting teachers for eminence in their particular subjects, and give the students the opportunity of attending those lectures. Why, that is exactly what we say, and that is one of the main features, and it is one of the new features, of the Ordinances we have introduced. We have taken advantage of the power given by the Act to invite the University Court to appoint several lecturers whose position will be such that their lectures will qualify for graduation. What we do not do, and what we decline to do, is to recognise his calling as a teacher for graduation, which may be said at first sight is now the case in medicine, and that it works tolerably well. Why does it work tolerably well in medicine? The reason is this, that the medical lecturers are invariably certified, chosen, selected, and appointed by various medical corporations outside the University, such as the College of Physicians and the College of Surgeons. So that in that way, indirectly, the process of selection which we have explained is already done in

medicine. But in Arts it cannot be done. That is where we join issue with those who attack us. It is to that point, the point of extra-mural teaching, that I confine my observations. I do not think it would be reasonable that the House should listen to other details of the Ordinances. These are the principles we stand by. We think the Universities should be teaching Universities, and while we feel bound to appoint as many more teachers as possible, we maintain that that must be done by selection and not by the recognition of the first course.

\*(1.15.) SIR G. TREVELYAN (Glasgow, Bridgeton): I recognise that it is extremely late, and I think I have given the very strongest earnest on former occasions that I am very unwilling to keep the House after twelve o'clock, for I think I may say that I am perhaps as responsible as any other Member of the House for the twelve o'clock rule. I am, therefore, going to give my reasons for supporting my hon. Friend the Member for Haddington most briefly and in the shortest time possible. There has been one point which has been left out of sight during the whole of this Debate; there was no allusion to it, as far as I remember, in that speech which most gratified the House at large—the speech of the hon. Member for Cambridge University. And I hope my hon. Friend opposite will allow me at once here, and for the old friendship I have had with him since we sat side by side in examination, in which the only honour I or any other of his competitors had any chance of winning was that of having entered into the same lists, to express the pleasure I feel as a personal friend, as one of his constituents, and as a Parliamentary Colleague, in such an exhibition of cultured talents as he has given to the House which he honours and which I hope he will frequently address. But in his speech, and in all the speeches which have followed and preceded him, no mention was made of the important fact that both of the great bodies of graduates of the two great Scottish Universities, the General Council of



the Glasgow University and the General Council of the Edinburgh University, have taken very grave exception to these Ordinances. Thus the representative educated opinion of these Universities outside what may be called the official circle is opposed to these Ordinances as they at present stand. That is a body of opinion to which we ought to give great weight, for I will venture to say that if it had not been for the General Councils of Edinburgh and Glasgow we should never have had this University Act and this University Commission. They were called for by these two bodies on account of their dissatisfaction with the then existing system, and they now complain that that system has not been changed. They complain, in terms of great respect towards the Commission, two members of which have addressed us to-night, in the first place that the main object for which this Act was brought before the House of Commons three years ago was in their opinion laid down in the words that provision was to be made for increasing the teaching power of the University, whether by extra-mural teaching or otherwise. They say, and I think they say rightly, that absolutely nothing whatever has been done in these Ordinances for extra-mural teaching. In the case of medicine the number of courses which may be pursued in extra-mural teaching has been doubled, and the number of courses in order to get the medical degree has been doubled likewise. The extra-mural teachers of Glasgow and Edinburgh in medicine lie under this very grave disadvantage, that whereas twelve out of the sixteen courses may be pursued under extra-mural teachers if the student is being educated at Leeds, at Newcastle, at Manchester, or at Durham; on the other hand, only eight can be pursued under extra-mural teachers if the teacher resides in Edinburgh or Glasgow. Extra-mural teaching has not been increased in science and in arts—it does not exist at all. My hon. Friend behind me says it was not their business to give facilities for studying under eminent men of whose qualifications very little might have been known. There is only one way of determining

whether a teacher is distinguished or not, and that is to give him fair play; and I entirely agree with the hon. Member for East Edinburgh (Mr. Wallace) that the real teaching in our English Universities is extra-mural teaching. The highest honours are got not by attendance at lectures, but by private studies directed by able men who can give special and careful attention to the pupil. My hon. Friend opposite says that in his opinion the personal supervision of the teacher was of all importance, and that he does not want a mere examining University. But what is the use of talking of personal supervision of professors who teach these enormous classes; who draw these fees of £2,000 and £3,000 a year, representing some 600 or 700, or 300 or 400 pupils? What is the use of talking of personal supervision in a case like that? You refuse the personal supervision of the teacher who relies on his own merits outside, and what is given instead? This Ordinance, No. 17, appoints assistants and lecturers; but, in the first place, the appointment of assistants appears to the General Councils of these Universities to be far too much in the hands of professors. It is entirely in the hands of the professors, and the power of the lecturers, whose appointment is in the hands of the Court, in conducting the education, will be largely determined by the professors. They will be responsible to the Senatus, with only an appeal to the University Court; and no one who knows the practical working of any educational body will believe that this appeal will be of any serious avail except in case of very gross scandal and spiteful conduct on the part of the superiors; but it will be of no real avail, as against the steady daily supervision of the nearer body. And when we find on the top of that that the apparatus for instruction and the material belonging to any particular Chair shall be under the exclusive control of the professors, what will be the lecturers except the mere puppets of the collective body of professors in the Senatus? The four objections which the Council take are these: First of all, that the educational policy is made over to the Senatus, who practically are the professors; secondly

the failure to provide an effective remedy for the evils of the large classes, by which the assistants and others do the work, while the professors get the fees; thirdly, the failure to provide new Chairs; and, fourthly, the refusal to extend to the Faculty of Arts and to other Faculties extra-mural teaching. Those are the objections taken by the great bodies of graduates of Edinburgh and Glasgow, and I do not think they have been answered in this Debate. But my hon. Friend behind me has taken an objection of his own, which I think is a thoroughly House of Commons objection, and that is that he ought not to have had the administrative and teaching Ordinances without the financial conditions. Putting extra-mural teaching aside, and the other great reason for this delay, that the monstrous scandal of these overgrown classes is not dealt with, I should like to know whether these lecturers are to be practically the rivals of the professors, co-equal with the professors, getting the share of fees which represents the number of students who come to their class, that being one system; or whether the other system is to be rigorously adopted, namely, where all the fees are to be put into the public Chest, and where salaries are then to be paid to the professors without respect of persons? It is because that subject is not embodied in these Ordinances, though we can find other great objections, many of which I have not mentioned, but which have been mentioned by hon. Friends who sit behind me—such objections as that the junior classes are still kept up, to the great disappointment of the advocates of secondary education in Scotland, and, as we think, to the great disadvantage of the Universities, and that the compulsory preliminary examination is not extended to all students—it is because of these objections to the Ordinances as they exist, united with the cardinal objection to their being separated from that which is the basis of the Bill, the financial scheme, that I think we should do very well to vote for my hon. Friend's Amendment.

(1.25.) MR. PARKER SMITH  
(Lanark, Partick): I do not desire to

*Sir G. Trevelyan*

keep the House very long, but I wish to say one or two words with regard to the speech to which we have just listened from the right hon. Baronet the Member for Bridgeton. In the first place, I wish to say something with regard to these junior classes to which he referred. The junior classes do not consist of boys. In reality they consist of men. The age, I think, is much higher than the age in the other classes. They are not boys who ought to be at school. They are, nearly all of them, more than twenty years of age— young men whose education has been backward; men, some of whom would be better away from the University, but men to whom it has been the honour of the Scotch Universities that the opportunity of learning has been, no doubt, offered them. I do not want to go into other points, except this: that the right hon. Gentleman the Member for Bridgeton put forward the action of the University Councils of Edinburgh and Glasgow as his main reason for his action in the matter. I should like to say a few words as to what the history of the action of the University Council of Glasgow has been. That Council consists of the whole body of over 5,000 Parliamentary electors of the University. It has had this question before it, not only recently, but for the last ten years, and repeatedly, again and again, and it has decided against the principle of extra-mural teaching. In the present year—on the 16th of March last—a Motion in favour of extra mural teaching was carried by a majority of 21 to 11, out of a total constituency of a good deal over 5,000. It was that Motion which came up again for approval at a second meeting, and the whole of that meeting apparently consisted of less than forty persons. I venture to think that that does not show any feeling that you can speak of in the University at large. The only previous occasion on which such a Motion has been passed was in the previous October. That Motion, as it stands, sounds a strong one. As it stands it is this—

“The University Court shall have power to recognise for purposes of graduation in arts duly qualified teachers who are not professors in the University.”

That sounds as though it went some way; but it is to be taken with this explanation. Immediately after that Motion came on, there came on the election of assessor to the University Court. Two sets of men were standing against each other—one set consisting of the gentlemen who had proposed the Motion I have just read; the other set consisting of gentlemen who were opposed to the Motion. A supporter of the Motion boasted of having passed a week before in the University Council a Motion which he described thus—

“Providing for distinguished graduates having the opportunity of teaching in the University under the appointment and supervision of the Court.”

He limited the scope of his Motion by describing it in these words, and it was quite true that in his speech in proposing that Motion in the Council he did limit it in the extreme, and only carried it by the fact that he so limited it as to take away all its meaning as a defence of extra-mural teaching, and to make it merely the expression of a desire for additional power in the University—a desire in which everyone is agreed. The opponent of this gentleman pointed out that he did not understand this Resolution in its limited sense, or it would never have been opposed at all, but would have been passed unanimously, and certainly would not have been opposed by any anxious for the expansion of the Universities and the increase of the teaching staff. The Mover replied that while the terms of the Motion had been quoted the terms of the speech explaining the Motion had not been quoted, and gave a reference to the speech in which he had supported it, and in that speech he says that he had laid down—

“That the proposed teaching was to be under the sanction and control in every respect of the University Court, and that the students receiving such teaching should be matriculated students of the University subject to academic discipline in all respects. The issue before the meeting was clear—extension or no extension of University teaching. The recognition given was to be entirely at

the discretion of the Court who would consider how much extra teaching was required, and every point connected with the man who asked it. He desired that the Court should be supreme in giving recognition, and supreme also over the man after he had got the recognition.”

Such a scheme is not at all what has been advocated as extra-mural teaching. That is the extreme of what has been accepted by the University Court, and that is something totally different to the views which have been put forward by the hon. Member for East Edinburgh to-night and by the right hon. Baronet who has just sat down. These are all the views for which the right hon. Gentleman can claim the support of the University Council; and it seems to me that these views, not as put in the Resolution but as embodied in the speech that explained the Resolution, that moved the Resolution, and to which afterwards, when challenged as to the meaning of the Resolution, the mover appealed, as a necessary accompaniment and explanation of it—these views are embodied sufficiently in the Ordinance dealing with lecturers and assistants to give no cause whatever for such a strong step as to throw back on the Commissioners these Ordinances. It seems to me, in the first place, that we should be throwing very great discredit on the Commissioners if we did that; and, in the second place, that we should be doing very great harm to the Universities by delaying a reasonable settlement.

(1.30.) MR. HUNTER (Aberdeen, N.): I do not propose to trouble the House with the subject which has just been before it. The question of extra-mural teaching and other matters that have been referred to are all questions which principally concern the Universities of Edinburgh and Glasgow; but there are one or two questions, not of great magnitude, but of considerable importance, which affect the University of Aberdeen. One of these I am happy to say has already been disposed of by the action which has been taken in another place—I refer to the mistake which occurred in the Ordinance regarding arts, with respect to the subject of

mathematics. And there remains one and only one matter in which the University of Aberdeen is greatly concerned, and upon which the University Council have raised strong objection, and that is the two lines in Section 12, Sub-section 2, of Ordinance 11, which provide that Greek shall be compulsory for candidates for honours in mental philosophy. Now, Sir, there is one part of these Ordinances which I cordially approve of, and that is the introduction of options. The old and narrow groove in which we were all compelled to travel in times past has been very widely opened up, and, undoubtedly, I entirely agree with the remarks of the hon. Member for Cambridge, in so far as he gave general approval to that portion of the Ordinance. Now, Sir, the effect of that Ordinance is that henceforth a person will be able to take his degree in Arts—his pass degree—and he will be able also to take his honour degree in seven out of eight groups, and for some incomprehensible reason this privilege, which is conferred upon the pass man in all subjects and upon all the other honours, is denied to those who seek for honours in mental philosophy. What would be the result of that prohibition if it should be maintained? We shall suppose that a man goes in for the honours examination in mental philosophy. We shall suppose he is a first prize man in logic, and is first prize man in moral philosophy; that he is an extremely distinguished student, and would be fully entitled to first-class honours; but, under this unhappy provision, he will not get his degree, and he will not get honours, unless, contrary to the spirit of the Ordinance, he has denied himself the choice and the option of omitting Greek in the early part of his career. Suppose he fails in his Greek examination. You would then have this extraordinary result: that the man who will have taken every prize in Scotland will be debarred from honours in the subject because he has not passed through Greek. Surely anything more inconceivably absurd was never suggested to the mind of man! The next matter is this. The Greek option operates at the entrance examination. It is not necessary, in order to pass the entrance

examination, that you should take up Greek. What will be the effect of that regulation? The young man who from the first intends to become a clergyman will undoubtedly adopt Greek as one of the subjects. I doubt very much whether anyone else will adopt Greek at the first stage. The labour which is required for passing in Greek absorbs valuable time which is essentially required for more useful and remunerative subjects. In a few years no one will take up Greek for a pass examination who does not intend to be a clergyman. The subject of mental philosophy is one which is not taken up until three or four years after a man's College life has begun. It is not an elementary subject. It is one that naturally follows after a man has attained a certain degree of maturity. Consequently, many boys will discover, when they have arrived at that stage when they desire to take up mental philosophy, that they will be debarred from honours in that subject because they did not, when they were at school, take up Greek. This is a most unsatisfactory and most deplorable restriction. I am told that the reason why no one is to get honours in philosophy unless he knows Greek is because Plato and Aristotle wrote on the subject of philosophy, and that they wrote in the Greek language. If it were absolutely essential to the modern student, to a man of business, to know either Aristotle or Plato, it would not be necessary that he should know Greek for the purpose. Professor Jowett has translated the whole of the Dialogues of Plato, and I think there are very few graduates in Scotland or England who, if they were to apply their united skill in the translation of these works, could accomplish it so well as Professor Jowett has done. But because there were two gentlemen who wrote in Greek and treated of the subject of philosophy, therefore Greek must be made absolute! You must go on further than that. Take Art and Language. Descartes and Leibnitz wrote in French, and certainly, if it is necessary to read Plato and Aristotle in Greek, it should be none the less necessary for the student to read Descartes and Leibnitz in French before they can take honours. But you cannot stop

*Mr. Hunter*



there. You must also make German compulsory, because Hegel wrote in German. You cannot stop even there. You must also say that if the student is going in for a degree in mental philosophy he must know Sanscrit, because if he does not know Sanscrit, how is he to understand Hindoo metaphysics? I want to know why this extraordinary condition is to be imposed upon the English student of mental philosophy? I should like to know why the students of history are going to escape? You may get your honours in history without knowing anything of Greek, and yet there was a man whose name was Thucydides who wrote in Greek, and I shall be told that no one appreciates Thucydides who does not know Greek. There is no conceivable propriety, but there is the greatest impropriety, in connecting two such subjects as Greek and philosophy. Philosophy deals with ideas; Greek deals with words, and it seldom happens that a man displays equal aptitude in the practice of arts and also in the region of thought. Nothing could be more violently opposed. It would be quite as reasonable to say that no man should get honours in mathematics unless he added to that a knowledge of Greek, of Sanscrit, or any other language. And it is so particularly absurd for this reason: that the quantity of Greek acquired is absolutely useless for philosophical purposes—a mere knowledge of Greek is not sufficient to elucidate the mysteries of Plato. The amount of Greek which is provided by a pass degree is of no value whatever even for Plato or Aristotle. Well, then, I want to know why the Commissioners, the champions of Greek, who have been defeated all along the line, who have not been allowed to interfere with the mathematicians, who have left the man of natural science in peace, who have even allowed the Eastern languages and the English language to escape—I want to know why they should come down and impose this unhappy embargo upon mental philosophy? The University Council of Aberdeen have stated their views, which I have endeavoured to translate to the House. I shall now move, in order to give effect to that

contention, that after the word “eleven,” these words be inserted,

“So far as it makes Greek compulsory for honours in mental philosophy.”

I think this question of the future of our Universities, might very well be left to ourselves, and that hon. Members on the other side should not overrule the wishes of the Scotch Members on this subject by their larger numbers.

Amendment proposed,

After the word “eleven,” to insert the words “so far as it makes Greek compulsory for Honours in Mental Philosophy.”—(*Mr. Hunter.*)

Question proposed, “That those words be there inserted.”

Question put.

(1.45.) The House divided :—Ayes 21 ; Noes 107.—(Div. List, No. 114.)

Main Question again proposed.

(1.54.) DR. CLARK (Caithness): I should like to know whether the Government intend to say anything in reference to the matter? I think they ought to say something—either through the First Lord of the Treasury or the Solicitor General for Scotland. If they do not, we shall take some other opportunity of bringing the matter forward again.

MR. A. J. BALFOUR: We are quite prepared, either I myself or my hon. and learned Friend the Solicitor General for Scotland, to deal at length with the various points raised; but, as a matter of fact, I think the House will feel that the subject has been thoroughly threshed out, and little or nothing requires to be added from this or from any other Bench. For this reason, and in mercy to the Members who have now sat for three hours discussing this matter, I hope hon. Gentlemen will be content if I venture to rest my case upon the admirable and eloquent speech which my hon. Friend behind me (Mr. Jebb) addressed to the House at an earlier hour of the evening.

Main Question put.

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(2.1.) The House divided:—  
Ayes 29 ; Noes 99.— (Div. List,  
No. 115.)

DR. CLARK: Mr. Speaker, on the  
Question of moving the Adjournment  
of the House—

MR. SPEAKER: Order, order! We  
are bound to go through the Orders  
of the Day according to the Standing  
Orders.

#### STILL BIRTHS IN ENGLAND AND OTHER COUNTRIES.

Address for—

“Return from the United Kingdom, France,  
Spain, Germany, Austria - Hungary, Italy,  
Russia, Norway, Sweden, Denmark, Canada,  
Australia, New Zealand, and the United States,  
specifying the following information with  
regard to each Country:—

1. Whether the registration of Still Births is compulsory; and, if so, what Act regulates this;
2. Is the registration carried out by the authorities who register ordinary Births and Deaths;
3. Are Still Births registered as Births or Deaths, or both;
4. What is the legal definition of a Still Born Child;
5. What are the penalties for neglecting to register a Still Birth;
6. Is the number of Still Born Children, interred and registered in the year 1890, known; and, if so, what was such number;
7. What are the penalties for criminally causing a Child to be Still Born;
8. Copy of regulations and forms of certificates used in registering Still Births;
9. Is a certificate of Still Birth, signed by a Midwife, accepted by the registering authorities;
10. Are Midwives recognised by the State, and is the bulk of the Midwifery practice in their hands;
11. Under what regulations, if any, are Midwives allowed by the State to practise;
12. Is it known, and, if so, what is the rate per 1,000 of Women who die in their confinements or in the four weeks immediately following.” — (*Viscount Grimston.*)

#### PIER AND HARBOUR PROVISIONAL ORDERS (No. 2) BILL.—(No. 304.)

Read a second time, and committed.

#### BALLOT ACT (1873) AMENDMENT BILL. (No. 189.)

Order for Second Reading [24th  
May] read, and discharged.

Bill withdrawn.

#### DUBLIN BARRACKS IMPROVEMENT BILL.—(No. 218.)

Reported from the Select Committee,  
with Minutes of Evidence.

Report to lie upon the Table, and to  
be printed. [No. 179.]

Bill re-committed to a Committee of  
the whole House for To-morrow at  
Two of the clock, and to be printed.  
[Bill 334.]

#### UNIVERSITIES OF OXFORD AND CAMBRIDGE ACT, 1877 (CAMBRIDGE).

Copy presented,—of Statutes made  
by the Governing Body of Trinity Hall,  
Cambridge, on the 21st December 1891,  
and sealed on the 30th January, 1892,  
adding to, altering, and amending the  
Statutes made by the Commissioners  
appointed under the Act in relation to  
the said Hall [by Act]; to lie upon the  
Table, and to be printed. [No. 178.]

#### TREATY SERIES (No. 8, 1892).

Copy presented,—of Treaty and Con-  
vention between Great Britain and  
the United States of America, relating  
to Behring's Sea. Signed at Washing-  
ton, February 29th and April 18th,  
1892. Ratifications exchanged at  
London, May 7th, 1892 [by Command];  
to lie upon the Table.

House adjourned at a quarter  
after Two o'clock.

## HOUSE OF LORDS,

*Tuesday, 10th May, 1892.*

**PUBLIC AUTHORITIES PROTECTION  
BILL [H.L.].**

Reported from the Standing Committee with Amendments: The Report thereof to be received on Thursday next.

**LOCAL AUTHORITIES (ACQUISITION  
OF LAND) BILL,**

NOW

**MORTMAIN AND CHARITABLE USES  
ACT AMENDMENT BILL.**

Reported from the Standing Committee with Amendments: The Report thereof to be received on Thursday next; and Bill to be printed as amended. (No. 100.)

**SHORT TITLES BILL [H.L.].**

Commons Amendments to be considered on Thursday next.

**COMPANIES (CERTIFICATE OF INCORPORATION) BILL [H.L.].**

A Bill to amend the law relating to the Certificate of Incorporation of Joint Stock Companies—Was presented by the Lord Herschell; read 1<sup>st</sup>; and to be printed. (No. 101.)

House adjourned at twenty minutes before Six o'clock.

## HOUSE OF COMMONS,

*Tuesday, 10th May, 1892.*

The House met at Two of the clock.

**PRIVATE BUSINESS.**

**RAILWAY RATES AND CHARGES  
PROVISIONAL ORDER [NORTH  
EASTERN, &c.] BILL (by Order).**

CONSIDERATION.

As amended, considered.

Schedule.

\*(2.15.) MR. FURNESS (Hartlepool): I have taken the unusual course of moving an Amendment to a Bill

VOL. IV. [FOURTH SERIES.]

which has undergone the consideration of a Committee upstairs, because, as I think I can show, the Bill will probably have a very prejudicial effect upon the timber trade of this country. It will probably so affect my own constituency. A very extensive trade has rapidly grown up at the Hartlepoons with the Baltic ports and with Sweden and Norway. It will probably be claimed that consignors of the timber will have the option of declaring whether the timber shall be conveyed by machine weight or measurement weight, and it is true that the forwarder will have such an option, but at the best the change means an advance on the present rate of something like 20 per cent. The growth of the trade at the Hartlepoons has been most rapid in the last few years—from 531 tons in 1852 to 85,724 tons in 1862; in 1872, 271,533 tons; in 1882, 332,258 tons, and in 1889, the last year for which I have a return, the total of the Hartlepool timber trade reached 406,992 tons. The whole of this trade has hitherto been carried on by computed measurement, the timber being purchased in this manner in Sweden or elsewhere, being so conveyed by steamer or sailing vessel, and the whole of the labour and conveyance at and from the port of arrival being so calculated. Now the Bill proposes practically that the carriage in the future, in order that the timber may have the benefit of the lower rate, shall be by machine weight. But when I inform the House that the foreign timber trade to the Hartlepoons is a season trade carried on in the five months from the time the Baltic ports open in May until early in October, during which period from eight hundred to one thousand trucks are daily loaded at the Hartlepoons, it will be seen that it is utterly impossible to have the whole of this timber weighed, and when it is said that the merchant may have the timber forwarded by measurement weight under Clause 1, still that can only be done at an increased cost, equal, as I find from Returns supplied me, in some cases to 21½ per cent. I am sure hon. Members conversant with commercial life will know that an increase of even 2 or 3 per cent. in freight may, in these days of keen

competition, be sufficient to divert a trade into other channels. This is what is feared in the case of the foreign timber trade, and hence it is I move the Amendment of which I have given notice. To this I have been urged not only by the timber trade of the port and of various parts of the country, but also by the Chamber of Commerce and the Town Council of Hartlepool. I feel a reluctance to move such an Amendment to a Bill which has received the attention of a Committee, and the points of which have received the attention of eminent counsel; but I am afraid this particular part of the Measure has escaped that careful attention bestowed by the Committee on the Bill generally. I cannot think that it is intended to so seriously interfere with a trade carried on so successfully in the past. The North-Eastern Railway Company have never shown any opposition to the system of carrying timber by computed measurement weight, and it would be a very serious matter indeed for the timber trade if the Bill passes in its present form. It is relevant to the point to mention that the French Government some time ago imposed a duty on timber to be levied by machine weight, but after a very short experience they found that there were so many difficulties and so much delay accompanying this method of levy that after an examination by experts they decided in favour of computed measurement weight. That is what I propose by my Amendment—that the trade should be carried on as hitherto by computed measurement, to which I believe there is no objection.

MR. JOHN WILSON (Lanark, Govan): I beg leave to second the Amendment.

Amendment proposed, in Class C, after the words "timber actual machine weight," to insert the words "or measurement weight."—(*Mr. Furness.*)

Question proposed, "That those words be there inserted."

(2.20.) MR. HANBURY (Preston): I had supposed from the papers which have been distributed that the fight would have been between the home timber trade and the foreign timber trade, because we are told how very

much the home trade will suffer and the foreign trade gain under the proposals in the Bill; but I find to my surprise an Amendment introduced by the hon. Member, who tells us plainly that it is in the interest of the foreign trade. With regard to the whole question, I am bound to say that having sat on the Committee for nearly 90 days I think, whatever our views may be on the merits of the question, that the timber merchants certainly are the most enterprising and persevering body of traders of any that came before us, because while they admit that all other trades have come out rather well from the discussion which took place before the Committee, they maintain that they alone have been badly treated. But the true state of the case is exactly opposite. The Committee, so far from knowing nothing about the matter, broke their rule not to hear a case twice over, and heard the case of the timber merchants last year and this year. It cannot be said they did not go into the case thoroughly. Not only so, but the whole thing was threshed out by debate in Parliament last Session. One of two things will happen if this Amendment is carried. The hon. Member ask that a totally different system of carrying timber shall be adopted on this line from the system adopted last year by Parliament. For one line only is this change proposed as opposed to the rest of the lines. On the other hand, if this Amendment is to be adopted, then we must repeal everything that Parliament did in the matter last year. From that point of view alone the position is absurd. So far as I understand the matter, the timber merchants object that the rates are raised, and that the alternative method of carriage they do not like, and they state that the home timber trade is threatened. The latter point has not been raised to-day, and I need not refer to it. But I must contradict the hon. Member when he says the Bill raises the rates upon timber as compared with the rates at which it is now carried. It is a remarkable fact that in all these papers circulated among Members nothing is adduced to show that foreign timber has suffered in any respect whatever. Nor is there any attempt to show that home:

*Mr. Furness*

timber, as a whole, has suffered in any important respect. What the merchants do say amounts to an admission that the rates have been very largely decreased over long distances, but for short distances the rates for home timber have been increased. Now, how is that statement arrived at? Take the figures as they appear in these circulated papers. It is curious that, although they are dealing with the rates in the North-Eastern Railway Bill, these rates are not mentioned in these papers. Whether the North-Eastern rates are higher than the rates of any other line in the Kingdom for timber they carefully avoid mentioning, and all these illustrative instances are taken from the London and North-Western, and Great Western, and other lines. They even go further, because they take special rates to special stations, they pick out short distances and stations where there is competition, and where the maximum rates cannot be charged because of competition, and because there are special rates under these special circumstances it is said these should be the rates generally for the whole of the timber-trade of the country. The proposition is monstrous. They go even further, and in the comparison of maximum rates they are not correct. They say that the rate for timber at the moment is 2d., but no terminal rate is charged. But exactly the opposite is the case.

MR. STOREY (Sunderland): We are not raising that point.

MR. FURNESS: To what papers is the hon. Gentleman referring?

MR. HANBURY: To these papers circulated freely among Members, some five or six of them signed by the Secretaries of the Home and Foreign Timber Associations. I am surprised that the hon. Member has not seen them. The figures, I say, are wholly misleading. They do not give the actual rates at present charged, and they ignore the fact that while they put in station and service terminals to the new rates proposed by the Bill the railway companies have the right to charge terminals at present. The comparison is therefore wholly misleading. Now I come to another point raised by the

hon. Gentleman. Objection is not so much to the rate as to the option of sending timber by computed measurement weight or actual machine weight. The Railway Companies have no option; they must carry at whichever rate the timber is sent by the traders with whom the option lies. They object to the alternative system, and on what grounds? The hon. Member's Amendment is that timber, whether it is carried by measurement weight or machine weight shall go in the same class and pay the same rate. That supposes that in either case the same weight is carried by the Railway Company. That is assumed; why then the objection to the distinction allowed of sending by machine weight or measurement weight if the machine rate is 25 per cent. more than the measurement weight? We have it from evidence given by timber merchants that there is an enormous difference between the actual weight and the computed measurement weight. We were told by a witness that on 165 cubic feet of deals there was the enormous difference as between 2½ tons computed measurement weight and an actual weight of 3 tons 6 cwt. We had other and similar evidence. No wonder the timber merchants wish to adhere to the tape measurement, and do not like the alternative, for they are actually sending twice as much as the weight they pay for. We are met by the argument that it would be perfectly true in certain cases that the weight varies, and that is the very reason why the Committee and Parliament last year, and the Board of Trade previously, introduced the double system of sending, either by weight or by measurement. For this reason: I will take home timber. We had before us facts to show most conclusively that English elm when cut down weighs nearly one-third as much again as when the sap has gone out; and we introduced this double system for this reason: that the seasoned timber and the older English timber being, of course, a great deal lighter per cubic foot than the green timber, the trader, if he wished, might have the benefit of the lightness in a cheaper rate of carriage than for heavier timber. And I think it is a wise provision that the



man who sends light timber should not have to pay exactly the same rate as the man who sends green stuff. I say, therefore, why deny that man the option? We are told that it is the general wish of the whole timber trade that timber should be carried by weight only. Is that the case? ("No!") It is by no means the case.

MR. STOREY: We do not say so.

MR. HANBURY: Then your case becomes very weak indeed, because you are then in this position: The Amendment which the timber merchants desire to introduce, if the hon. Member rightly represents his friends, would undoubtedly force the Railway Companies to carry everything at measurement weight, and nothing by machine weight.

MR. STOREY: No, we do not want that.

MR. HANBURY: I am glad that has been dropped. What is the argument against this? In Scotland at the present moment timber is carried by machine weight, and that is the case also in Ireland and South Wales. Indeed, on this North Eastern Railway itself 43 per cent. of the timber—namely, pit props—is carried by machine weight. The hon. Member said that machine weight was found to be impracticable; that it was tried in France, and did not succeed; but there is no need to go to France. I have quoted instances in our own country where it has succeeded, and is being carried out, and we had witnesses before the Committee who said they had not experienced the slightest difficulty whatever, and that it was giving them great assistance. Those were timber merchants. I hope, therefore, I have shown to the House that the whole of the facts upon which the hon. Member has based his contention will not stand examination for one single moment. When he says the Committee has hardly done its duty to this foreign timber trade, I must again remind him that this timber trade has had exceptional opportunities given to it of appearing before the Committee. We twice heard them patiently—a favour granted to no other trade in the Kingdom. Therefore, I ask the House to support the Committee, the Board of Trade, and the House itself in its

*Mr. Hanbury*

action of last year, by not listening to the Amendment.

MR. STOREY: The speech of the hon. Member seems rather to have been directed to arguments which have not been uttered and to Motions which have not been made than to the modest Amendment which has been submitted. I beg the House to realise that this Motion has no relation whatever to the home timber trade. It has relation to the foreign timber trade, inasmuch as this Company deals with foreign timber, mainly from the Baltic. I desire the House to recognise that in connection with this Baltic trade, which consists principally of deal and battens, the custom for untold years has been to transact business by measurement, that mode being founded upon the common consent of all parties concerned, and upon the average established by a succession of weights. The transactions are ruled by the St. Petersburg standard of measurement, and that method has for years been found the most convenient. There has been no complaint from the persons abroad, nor from the merchants in the North-Eastern ports, nor from the people in the Midlands and in the South with whom we deal, nor from the Railway Companies or the shippers. The point my hon. Friend puts to the House—and I hope it will be considered in the interests of the trade—is that such a widely-ranged, convenient, and practical system of carrying on business ought not to be lightly interfered with by the House. Consider what our position in the North will be if you make this change. We must buy at the St. Petersburg standard, and sell at the same standard. Our merchants have their tables based accordingly, and by reference can immediately tell whether the nature of an offer is satisfactory. I hope the Committee possessed more knowledge than the hon. Member has displayed this afternoon with reference to the matter. If they did not, I do not wonder that they made this one mistake in their multifarious labours. That Committee has, of course, done much that is good. It has introduced advantageous and convenient changes; but it has also made this one alteration, of which all the parties concerned complain. There are Directors of the



North Eastern Com any here. I should like to invite my hon. Friend the Member for Barnard Castle (Sir J. Pease), the hon. Member for Chester-le-Street Division (Mr. Joicey), and the hon. Member for Ripon (Mr. Wharton), to say whether, in practice, the North Eastern Company has ever had reason to complain, and whether it ever has complained of the present system. I come now to the change which has been made. The hon. Member opposite asked, Why should the traders object to having the option? We never did object, and we do not now object to having the option. What we object to is this: the Committee say, "You may forward by the Railway Company either by machine weight or by calculated measurement weight. We estimate the machine weight at so-and-so; but if you exercise your option and send by the old calculated measurement weight, then we will put that weight at 21½ per cent."

MR. HANBURY: Because you send twice as much.

MR. STOREY: The hon. Member talked about some difference between 2 tons 10 cwt. and 3 tons 6 cwt.; but the whole thing has been calculated for 200 years, and the average is known. The hon. Member may verify that fact by coming to Hartlepool or Sunderland, and taking from stock any number of battens and deals, and he will find that month in month out on different cargoes the average is 2 tons 8 cwt. The traders pay on 2 tons 8 cwt. in order to allow for the little variation which they know to exist. As I have said, we do not object to the option. If, however, you establish the machine weight, the North Eastern Railway Company will be the first to complain. My hon. Friend was quite right in saying that this is a season's trade. It happens during a few weeks in the year the ships pour into the North Eastern ports, and the North Eastern Company is pressed in order to get trucks ready for the conveyance of the timber to the South. If, then, that Company were put to the necessity of weighing each truck, the only effect would be to retard the delivery and to cause a restraint of trade. The point of the Amendment is this: We do not object to option, but we ask

that with the option the rate should be the same. I see the hon. Member shakes his head, and I will address a final argument in the hope that it will convince him. The rate the Committee proposed for machine weight was a fair rate. That is admitted, I suppose. If that be so, why, if I take the option of sending by measurement weight for the mutual convenience of my customers and myself, should there be added to the weight an additional 21½ per cent.?

MR. HANBURY: Because there is 21½ per cent. more carriage.

MR. STOREY: The answer proves the utter ignorance—if I may be permitted to use the word—of the hon. Member as to the facts of the trade. I am certain if he went to Sunderland—and if he would not make a political speech we should be glad to see him there—I could convince him in an afternoon that he had been misinformed upon that particular point. There is no variation beyond what I have indicated. As I saw an expression of dissent on the part of one or two hon. Members when the hon. Member for Hartlepool (Mr. Furness) said there was this difference, may I read one sentence from what I believe to be a trustworthy letter. The writer, who has inquired into the matter, says:

"The rates at ten stations from West Hartlepool amount in Class I. to £6 2s. 7d., the maximum rates; as compared with £4 16s. 4d. in Class VI."

My hon. Friend asks that we may have the option of sending either by measurement or by machine weight, and, if we exercise the option, that we shall pay at the machine rate which the Committee fixed and which they must have thought was a fair one. Under these circumstances, I sincerely hope that the House, in the interests of the North-East part of the country, will modify the decision of the Committee upon this very trifling point, and so maintain our trade on the basis upon which it is already established.

MR. HUNTER (Aberdeen, N.): My hon. Friend (Mr. Storey) has, speaking on behalf of the timber trade, told the House that there is no objection to the option. That, however, is not the case put before the Committee. The case submitted to the Committee

was essentially one of objection to the option; and the case the hon. Member raises is a different one. He says there ought to be no distinction between actual weight and measurement weight. I do not myself know anything whatever about the timber trade except the information conveyed to the Committee by the evidence not only of the timber merchants, but also by the Railway Companies; and, however much I might be disposed to accept the evidence of my hon. Friend below me, I cannot divest myself of the facts which were brought to our attention by the Railway Companies. And I believe every Member of the Committee will agree that the evidence conclusively disclosed a considerable difference between actual weight and measurement weight, and showed that measurement weight involved a larger actual weight than that ascertained by the machine. I will put a question to my hon. Friend. The object he desires can be obtained in two ways—either by lowering the measurement weight in Class VI., or by raising the actual machine weight in Class I. I should like to ask my hon. Friend whether he is prepared to accept an Amendment to raise the actual machine weight in Class I., and thereby put the machine weight and the measurement weight on a footing of equality?

MR. STOREY: The effect of that would be to increase the present maximum rates of the North Eastern, and inasmuch as we think those rates are high enough for the purpose, we should not agree to it.

MR. HUNTER: That brings the House to the real question. This Motion really relies upon the suggestion that the Committee have allowed too heavy maximum rates. Now, Sir, what is the fact? At the present time the maximum rate on the North Eastern for timber, for the initial distances—I will not trouble the House with long distances—is 2½d. per ton per mile. In Class 1, about which the complaints are made, we have reduced the maximum rates from 2.75 to 2.2, or more than ½d. per ton per mile. If anyone has a right to object to that reduction, surely it is not the trader, but the Railway Company. Taking into account what appears to be proved

by the evidence as to the difference between the measurement weight and the actual machine weight, we have reduced the maximum rate on the actual weight from 2½d. to 2d. a ton per mile, and the question is, ought we to have made any further reduction? I would point out that this is a question upon which the House can only form an opinion after hearing the evidence on both sides. In re-adjusting these rates the Board of Trade has proceeded upon this distinction. If the article was not enumerated in one of the old Acts, and was therefore chargeable at the highest maximum rate, generally 4d. a ton per mile, the Board of Trade paid very little respect to what may be called the vested interests in that maximum rate. When, however, an article had been specifically named in all the Acts, like timber, and a specific maximum rate had been assigned to it, the Board of Trade, properly I think, held the view that the burden was cast on the traders to show whether that maximum rate should be reduced. Well, the Board of Trade have reduced the rates to the extent I have mentioned, and I can only express my own opinion, after hearing all the evidence, that we should not have been justified in inflicting upon the North Eastern Company a larger reduction than that which has been made.

\*COLONEL HILL (Bristol, S.): Speaking on behalf of timber merchants, whose trade is an important one in my constituency, I may say that they do not consider they have had an opportunity of sufficiently stating their case, and they strongly protest against the Bill in its present form. They think their interests are so greatly affected by it as to render it necessary to bring in an amending Bill. I will not go into the merits of the question, and I will merely say that it seems to me there should not be much difficulty in so adjusting a table of specific gravities as to make measurement weights practically the same as the actual weights.

(2.55.) MR. P. STANHOPE (Wednesbury): I want to enter into the general question of the effect of this Bill, but before doing so I should like to point out that we are in a peculiar position. As far as I know it has not been cir-

*Mr. Hunter*

culated, and we are discussing a Bill that is not in the hands of any Member.

**THE PRESIDENT OF THE BOARD OF TRADE** (Sir M. HICKS BEACH, Bristol, W.): There was scarcely any Amendment made in the Bill, and none of any importance.

**MR. P. STANHOPE**: I am afraid I cannot regard that as a sufficient reason for not presenting Members with a copy of a Bill which they are called upon to discuss. At any rate it is open to the right hon. Gentleman to lay the Report of the Committee upon the Table.

**SIR M. HICKS BEACH**: The Committee decide what to do with their Report. I have nothing to do with it.

**MR. P. STANHOPE**: Then the responsibility is cast upon the Committee. I only call attention to this particular point in order to remind the House what a little time is given hon. Members to discuss the large questions raised by these Provisional Orders in connection with the rates of railway companies. I do not wish to deny that the Committee upstairs have performed an arduous and valuable duty, but the questions which arise out of these Provisional Orders—and this is a type of the whole—are of such importance and of such general interest to the commerce of the country, that I think the House itself should have a better opportunity of discussing them, and that we should not have them brought forward at the commencement of public business in this House and be almost smuggled through without any comment. Now, Sir, with regard to the Amendment, I think it has been fairly explained by the hon. Member for Sunderland (Mr. Storey). I attach great importance, and I am sure hon. Members generally will also, to the remarks of my hon. Friend the Member for Aberdeen (Mr. Hunter), who is an expert in railway matters, and who has shown such great interest in the labours of the Committee upstairs. Nevertheless, I do think a substantial case has been made out by my two hon. Friends, which should induce the House to leave alone this particular branch of the timber trade, which at the present time is, at all events, a very large and important section, and affects not only the ports of entry but also consumers in the

Midland districts, who are the purchasers from these large and important firms at Sunderland and Hartlepool. I really would ask the Government and press upon the House to accept this moderate Amendment of my hon. Friend. I have only one word more to say, and that is that many Members of this House believe these various Provisional Orders have seriously injured numerous commercial interests in this country. That being so, we shall in future Parliaments, if not in this one, raise this and other questions with a view to the amendment of the whole law regulating rates and fares.

\*(3.3.) **SIR A. ROLLIT** (Islington, S.): Two points have been referred to by the hon. Member for Preston (Mr. Hanbury) on which I should like to say a word. Last Session I had charge of the Amendment on behalf of the timber trade, and I have to say that throughout this matter, in my opinion, the right hon. Gentleman (Sir Michael Hicks Beach), under difficult circumstances, did his very best to meet the wishes and requirements of the trade, and I may say just the same of the Department over which he presides. But although that Amendment was accepted under the pressure of circumstances, it was well known that it was not satisfactory, and it is equally unsatisfactory now. During this Session the parties interested in this great question have offered to meet the Railway Companies in friendly conference on this subject, and it has been urged that if that meeting had taken place even the Railway Companies might have been convinced that the dislocation to trade and the advantage given to competitors will in the end be injurious to the Railway Companies themselves. That meeting was refused, and I cannot help thinking that it indicates a by no means strong belief, even on the part of the Railway Companies themselves, in the validity of their position. The other point to which I wish to refer is with regard to the opinion of the trading community on this matter. Now, Sir, I can at least express the feeling of the Chambers of Commerce. The London Chamber practically unanimously entertains the strongest feeling against the Bill as it stands. The same observation applies to the

Hull Chamber, and I do not know any part of the country which, as an importing centre, has so large an interest in this question as Hull has. Well, Sir, there is another body whose opinions are always regarded favourably in this House. I refer to the large body of shipowners. They are distinctly opposed to the present proposals, and object in the strongest terms to a change in a custom which has proved beneficial in relation to the conduct of trade. The carriage rate will undoubtedly be affected, and a great change will be made between existing rates and the possible maximum rates in the future; but the chief objection, at any rate a very strong objection, on the part of the commercial community is owing to the vast inconvenience and interference with trade which would take place as the result of this change. In the first place, we believe it will result in very great delay, which must tend to diminish profits. It will require a large expenditure by way of additional service in order to check the measurement by weight, and we believe it will lead to considerable fraud, which is practically impossible under the existing system, based as it is on averages; and we also believe it will facilitate those preferences which it is one of the chief objects of this Bill to put an end to. The timber trade does not object to the option, but they want a real option. The option now offered is distinctly penalised by higher rates if the system of computed measurement is adopted. If, then, the interference with the timber trade is going to be great under this Bill, I ask the right hon. Gentleman to show the same spirit as he has done previously, and bring in a remedial Bill to assimilate the legislation of last Session to the change in this Bill which we propose to make. We believe the interests of the trade demand this. The Chambers of Commerce and the shipping trade are practically unanimous on the subject, and the timber trade nearly so, and I trust that the opinion which has been so well expressed by the hon. Member opposite will also be endorsed by the vote of the House.

\*(3.8.) **SIR J. PEASE** (Durham, Barnard Castle): I feel sure that the

*Sir A. Rollit*

Duke of Richmond's Committee were anxious to do their best for the timber trade; but it seems to me that this Amendment, while it certainly affects parts of the country represented by my hon. Friends the Members for Sunderland and Hartlepool, actually operates adversely upon the rates and fares of the North Eastern Railway Company. The hon. Member for Aberdeen (Mr. Hunter) has shown that the old system of charges is to be done away with, and that a new system is introduced in order to assimilate—I think on very right and proper grounds—the railway charges of the United Kingdom, so that traders may know the scale of rates under which they are charged on every railway. My hon. Friend says he accepts the  $\frac{1}{2}$ d. a ton per mile reduction which the hon. Member for Aberdeen says will be taken off the charges upon the standard weights of timber. Then my hon. Friend says the timber trade wants an option. It appears that they want a one-sided option, the option to send timber by measurement weight, as by that means a great deal more could be sent for the same charge, than if it were sent by actual machine weight. ("No, no!") It is all very well to say "No, no." I am speaking of the evidence which was given before the Rates and Fares Committee, and it is a notorious fact, and known in the trade generally. If there is nothing in it, why raise the question? What the Rates and Fares Committee say is that this timber which is charged by measurement weight contains so much greater actual weight than machine weighed timber that it goes into another and higher Schedule. My hon. Friend says, "Give us the option to put it all into the lower Schedule," a sort of heads I win, tails you lose proceeding, which, I believe, he would be one of the last men to urge. These goods were brought into review like goods of every other class. The Board of Trade, in one of the cleverest inquiries I have ever had anything to do with, which reflected infinite credit upon the painstaking care of those two men who conducted it, Mr. Courtenay Boyle and Lord Balfour of Burleigh, passed with a wonderful amount of painstaking and care these Schedules which are now before the



House. In addition, the Duke of Richmond's Committee—a conglomeration of talent to which Parliament did perfectly right to refer these Schedules instead of dealing with the details itself—last year had this question before them, and they passed these same Schedules in the cases of nine railways. And this year, again, these Schedules have been before the Duke's Committee, who listened to the cleverest counsel at the Parliamentary Bar on behalf of the Lancashire and Yorkshire Railway and the North Eastern Railway, and heard the evidence of witnesses in the timber trade, and passed these Schedules again. I ask the House whether it is going to place the North Eastern Railway in a different position with regard to the timber trade from every other of those nine Railway Companies? An hon. Member suggested that all these railway rates which have been the source of so much painstaking and care should be revised again. I can understand that, and if you include all the railways again in another revision, I wish those joy and long life who are engaged upon it. But it is altogether unfair to attempt to apply conditions to one railway that you have not applied to nine others. I think the discussion to-day has shown how difficult and how dangerous it is for the House itself to go into these details, and how wisely they acted in placing the matter in the hands of a competent tribunal. Surely it would be far better to take these Schedules as they came to us from this tribunal than to endeavour to begin and mend them.

\*(3.13.) SIR M. HICKS BEACH: I am anxious to put before the House my view of this question. The hon. Member for Sunderland (Mr. Storey), who always puts his points with great clearness, has stated his case on this occasion in a very lucid manner. What is that case? It is that there is some terrible proposal in this Bill by which the whole custom of the timber trade in the North Eastern ports will be interfered with to the great injury of that trade, which is now carried on satisfactorily, and consequent injury to the North Eastern ports and the whole of the district. How does he prove that? He has abso-

lutely failed to show that there is any real ground for that fear. He has not attempted to show that the Bill now before the House proposes to increase the existing powers of the North Eastern Railway with regard to timber carried by measurement weight. The hon. Member for Aberdeen (Mr. Hunter), speaking as a member of the Committee, with a complete knowledge of this subject, was, if I may venture to say so, absolutely correct when he said that this Provisional Order proposed to lower the maximum rates which the North Eastern Railway have at present power to charge for conveying timber by measurement weight. Therefore it is absolutely impossible that the North Eastern ports or the timber merchants in those ports should lose by the provisions of this Bill. What is the Amendment proposed by the hon. Member for Hartlepool? It is not a mere alteration in rates, which, as the House is probably aware, vary with regard to the different railway companies. The alteration is one in the classification of goods, and that classification has, with very great care and labour, been so arranged by the Board of Trade as to be absolutely identical over the whole of the United Kingdom; and what the hon. Member for Hartlepool (Mr. Furness) really proposes is to alter the classification in the case of the North Eastern Railway, so as to give the North Eastern Railway a classification of goods, differing from the classification of goods for every other railway in the United Kingdom. Let me suggest to the House that there is great advantage to traders in the uniformity which this system of Provisional Orders for railway rates and charges is intended to establish, and in its simplicity as compared with the present system. But it will be found in practice that there will be a very serious diminution of these advantages if you do not make the classification of goods uniform throughout the United Kingdom. Why should you make this alteration on the North Eastern Railway? What is asked—and the hon. Member for Sunderland characterised it as a modest request—is that the maximum charge for timber carried by measurement weight should be the same as that for



timber carried by machine weight. If the hon. Member will refer to the Report of the proceedings before the Committee or before the Board of Trade, he will find ample evidence to show the truth of what has been said by the hon. Member for Aberdeen, and by the hon. Baronet who has just sat down, that timber carried by measurement weight is pretty regularly carried, so as to give a larger amount of timber to the same nominal tonnage than timber carried by machine weight, and that therefore it is fair that the rate per ton for measurement weight should be higher than that for machine weight.

MR. STOREY: I do not dispute that. But what I say is that this is a special trade in a special sort of timber, and consequently the right hon. Gentleman has not yet touched the main part of the argument, or made it apply.

\*SIR M. HICKS BEACH: The Amendment of the hon. Member for Hartlepool does not only refer to that special sort of timber—I mean to deals, battens, and boards—it deals with all classes of timber alike. But I will take the question of deals, battens, and boards, and I will say that the Provisional Order gives a very great advantage to them in providing that, instead of being classed as “light timber” at 50 feet to the ton, they will in future be calculated at 66 feet to the ton. That is a very material advantage to the particular class of trade to which the hon. Member for Sunderland has referred; and, therefore, it is an additional reason for believing that the proposal of this Provisional Order will really put the timber trade of the North Eastern ports in a better position than it occupies now. I must confess I am surprised that this proposal has been supported by the hon. Member for South Bristol (Colonel Hill) on behalf of the merchants of Bristol, and by the hon. Member for South Islington (Sir A. Rollit) on behalf of the merchants of London. What would be the effect of it, if carried? It would give the traders of the North Eastern ports a preferential rate for timber carried by measurement over the North Eastern system as compared with the rates which this House has sanctioned for

every other railway, and would therefore give advantages to the traders in the North Eastern ports over the traders of Bristol and London. I must say that, though this Amendment has been characterised as a modest proposal, it appears to me scarcely to deserve that appellation. But I would venture to remind the House that three years ago this matter was thoroughly investigated by those two gentlemen whose names have been mentioned with no greater praise than they fully deserve. Last year the whole question was again investigated by a Joint Committee of both Houses, and this year it has been once more so investigated. An uniform classification of goods extending to hundreds of articles has been adopted throughout the whole of the United Kingdom. Rates have been fixed for the whole of the railways in the United Kingdom, and the only trade which appeals to this House against the decision of the Committee is the timber trade, and the only article in all that classification with respect to which any objection is made is the article of timber. It seems to me that this fact alone is sufficient to warrant a presumption that the timber merchants are unreasonable in their proposals. The House has left this matter in the hands of the Committee, and by such a tribunal alone could it have been properly decided, because no other tribunal could properly and fully hear all sides. I entreat the House, having taken the course it has, not to upset the decision which has been arrived at after labours extending over eighty days—a decision which has satisfied every trade and every community in the United Kingdom, except a portion of those who are engaged in the timber trade.

\*(3.25.) MR. CRAIG (Newcastle-upon-Tyne): The President of the Board of Trade has made the statement that under the old system deals, battens, and boards were carried by measurement at 50 feet to the ton.

SIR M. HICKS BEACH: The hon. Member has misunderstood me. The old legal classification was 50 feet, because they were classed as light timber. Under the new system the legal calculation is 66 feet to the ton. But, of course, under the old system

*Sir M. Hicks Beach*

the Railway Companies could, if they chose, carry at 66 feet to the ton.

\*MR. CRAIG: That is the point I wish to bring out. I have been connected with the timber trade for more years than I care to recollect—though I am not connected with it now, and am largely interested in the North Eastern Railway Company—and I say emphatically that as long as I can remember deals, battens, and boards have been carried at a measurement of 66 feet to the ton, and  $2\frac{1}{2}$  tons to the standard. But I go further, and corroborate all my hon. Friend (Mr. Storey) has said. Again, the timber we deal in comes exclusively from the North of Europe, from Sweden, from Norway, from Finland, and from North Russia. This timber trade must come in by our ports, for hon. Gentlemen may take it for granted that the ships will not go round by the Pentland Firth to get, say, to Liverpool or Bristol. The trade must come to Hull, or to the Wear, the Tees, or the Tyne. The traders of the North Eastern ports do not object to the carriage by machine weight as such; but the position they would be placed in is this—that if the timber were carried by machine weight the traffic would be so interfered with that it would be absolutely impossible in the summer and autumn to get waggons down and weighed and dispatched in time to carry on the business. Is it worth while to put the North Eastern timber trade to all this inconvenience for the sake of a little trifling uniformity? I have no objection to the system of uniformity, but it is possible that one practice may be convenient in one district or to one trade, which is not convenient in any other trade. It has been said over and over again that timber is taken at 50, but we have had it carried at 66. The hon. Member for Preston (Mr. Hanbury) made a point about elm; but he forgot entirely that elm is carried at 40 cubic feet to the ton, because it is calculated that deals and boards are 65 per cent. lighter in weight.

MR. HANBURY: I took my figures from the official calculations.

\*MR. CRAIG: We have put our case, and I assert that if you drive us to machine weight you will stop the traffic; you will stop the loading and

the unloading of great steamers; you will increase the cost of everything, and will do nobody any good.

\*MR. MORTON (Peterborough): I have myself put down notice of Motion for the rejection of the Bill, but shall not move it after the discussion which has taken place. I desire to say, however, that I consider several of the provisions of the Bill extremely inimical to English trade, and that I shall vote for the Amendment.

Question put.

(3.30.) The House divided:—Ayes 135; Noes 148.—(Div. List, No. 116.)

Bill read the third time, and passed.

## QUESTIONS.

### MILITIAMEN AND SUNDAY DUTY.

MR. FRASER-MACKINTOSH (Inverness-shire): I beg to ask the Financial Secretary to the War Office whether militiamen are bound to perform work on Sundays not obligatory in the regular Army, such as practice in forming sections, kit inspection, &c.?

THE FINANCIAL SECRETARY, WAR OFFICE (Mr. BRODRICK, Surrey, Guildford): The Militia when under training are subject to exactly the same regulations as men in the regular Army.

MR. FRASER-MACKINTOSH: If I bring some particulars of the case before the hon. Gentleman will he inquire into it?

MR. BRODRICK: No, Sir, it is impossible to make any different reply, because what a militiaman is called upon to do he must do the same as a regular soldier. The hon. Member is probably aware that soldiers are not, as a rule, required to perform unnecessary work on Sunday.

### THE COTTARS IN SOUTH UIST.

MR. FRASER-MACKINTOSH: I beg to ask the Lord Advocate whether the Secretary for Scotland has been informed that such distress prevails among the cottar class in South Uist as to render it necessary to appeal to the public; whether he has received memorials from the people of South Uist and Barra, craving that roads be formed to townships where none exist; and

whether some means could be devised to relieve the distress by useful employment, such as road making?

\*THE LORD ADVOCATE (Sir C. J. PEARSON, Edinburgh and St. Andrews Universities): The Secretary for Scotland has made inquiry, but has obtained no information to show that exceptional distress prevails among the cottars of South Uist. The answer to the second paragraph of the hon. Member's question is in the affirmative. With regard to the last part of the question, the duty of making new roads, where new roads are necessary, belongs to the Local Authorities rather than to the Imperial Government, but Her Majesty's Government are now considering whether, in certain special districts of Scotland, the deficiency in means of communication is so great that it cannot be adequately supplied unless assistance be afforded from Imperial funds to Local Authorities in order to help them to discharge this duty. The Government are not yet in a position to come to a final decision on the subject; and, in the particular case of South Uist, I am quite unable at present to say whether the construction of the roads referred to in the memorials mentioned by the hon. Member is of such urgent necessity as to require exceptional treatment. In any case, the hon. Member may be assured that the Secretary for Scotland is fully alive to the necessity of carefully watching the condition of districts like South Uist, though he trusts that nothing is likely to occur to render the intervention of the Government necessary for the purpose of coping with distress.

#### POSTAL SERVICE TO BRITISH CENTRAL AFRICA.

MR. COGHILL (Newcastle-under-Lyme): I beg to ask the Postmaster General whether his attention has been called to the inefficiency of the mail service between the United Kingdom and East British Central Africa; whether he is aware that a period of 33 days sometimes elapses without a mail arriving, although the Castle and Union Steamship Companies' steamers call at the ports of East British Central Africa; whether he has received complaints of the great inconvenience caused to the Europeans of the Shiré

*Mr. Fraser-Mackintosh*

Highlands in consequence of such irregular delivery of the mails; and whether he will take steps to remedy the grievance complained of?

THE POSTMASTER GENERAL (Sir J. FERGUSSON, Manchester, N.E.): I am well aware that the postal service to the remote regions of Central Africa is very imperfect. Correspondence for the Lake Nyassa region is in ordinary course sent to Zanzibar, to be forwarded as opportunities occur. The Castle Company's steamers do not appear to go to the ports of East British Central Africa, but the Union Company's go to Mozambique once in six weeks, and letters for the interior are sent by them when superscribed accordingly. The establishment of a regular packet service to the Chindé mouth of the Zambesi would involve a much greater expense than the postal interests concerned would justify.

#### THE CHARGES AGAINST SERGEANT DOWNEY.

MR. McCARTAN (Down, S.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he is aware that, notwithstanding the charges made and sustained against Sergeant Downey, of Dromara, County Down, at a Constabulary Court of Inquiry, in February last, he has still been retained in charge of the Police Station at Dromara; whether, notwithstanding that the charges which he made against Constables Corvin and Wallace were not proven, both constables have been removed from the Station; whether he is aware of the strong feeling of indignation which the punishment of the constables and the retention of Sergeant Downey has caused in the district; and whether he will in the interests of the peace and order of the district, suggest to the Inspector General the desirability of reconsidering the continuance of Sergeant Downey in charge of this Station?

THE ATTORNEY GENERAL FOR IRELAND (Mr. MADDEN, Dublin University) (who replied): Five charges were made against the sergeant in question, but only one was sustained. As regards the other four he was acquitted by the Court. The two constables were not punished, but in the interests of the

service they were transferred to another district. My right hon. Friend has no information as regards the statement in the third paragraph of the question, but he is making inquiries on the subject.

#### ENLISTMENT OF BOYS IN THE ARMY.

MR. PATRICK O'BRIEN (Monaghan, N.): I beg to ask the Financial Secretary to the War Office what is the minimum age fixed by the Army Regulations for the enlistment of boys; if a boy gets enlisted under age, can he or his parents claim discharge on proof being given that he was under age at the time of enlistment; whether he is aware that a boy named P. Bradley, No. 346, P.C., joined the 8th Hussars in Dublin last April, being then only 17 years and six months; whether his father, with his consent, has claimed his discharge on the ground that he is under age, and supplied certificate of birth in proof; whether his discharge has been refused; and, if so, on what grounds; and will he see that Bradley is at once discharged?

MR. BRODRICK: There is no minimum age fixed by law, but under the Army Regulations recruits are not enlisted before the age of 18 years unless they possess the physical equivalents of that age. If through false pretences a boy under that age enlists, his parents cannot claim his discharge, although occasionally it is allowed as an act of grace. P. Bradley did enlist last April, and his father has since supplied a certificate showing that he was then only 17½ years old. He gave his age on enlisting as over 18 years, and as the medical officer who examined him found him to be physically equivalent to 18½ years of age his discharge has been refused. Under the circumstances the Secretary of State sees no reason for overruling the recommendation of the General Officer commanding the district by ordering Bradley's discharge.

#### THE CASE OF THOMAS O'LEARY.

MR. PATRICK O'BRIEN: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he can say if a prisoner, Thomas O'Leary, confined in Mountjoy Prison is now

employed out-of-doors, or how is he employed; and is it intended to employ him outside?

MR. MADDEN (who replied): The General Prisons Board have reported that the convict O'Leary is not employed out-of-doors, but that he is engaged in shoemaking. His application for outdoor work was made on the 21st March, and was granted; but he declined to avail himself of the permission, as it was not to be made permanent. The promise of permanent outdoor work is made in the case of no convict.

#### GALLOWS HILLS, CARRICKMACROSS.

MR. PATRICK O'BRIEN: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether His Excellency the Lord Lieutenant of Ireland has received memorials from the inhabitants of Carrickmacross, County Monaghan, with reference to certain lands known as "Gallows Hills," situate in the immediate vicinity of that town, in which they claim that this land is common, and has been used as a public park by the people from time immemorial, and complain that certain persons have recently appropriated certain portions of it and erected buildings thereon; and whether he intends to take any, and what, steps in this matter?

MR. MADDEN (who replied): No memorials have been received by the Irish Government from the inhabitants of Carrickmacross regarding the land referred to; but a communication has been received on the subject from an individual resident. If any private or public right has been invaded by the action complained of, the parties aggrieved have a legal remedy.

#### RIGHT OF WAY IN THE CURRAGH OF KILDARE.

MR. CAREW (Kildare, N.): I beg to ask the Financial Secretary to the War Office whether he is aware that a site for the erection of a labourer's cottage, on a farm adjoining the Curragh of Kildare, has been selected and approved of by the Naas Board of Guardians, and that the contractor employed by the Guardians for the building of the cottage has been unable to undertake the work, in consequence



of the refusal of the Deputy Ranger of the Curragh to allow him access to the site; and whether, inasmuch as the only means of access is across a strip of waste land about nine yards in width between the public road and the farm, over which a right of way has always existed, he will state under what authority the Deputy Ranger is acting in closing up a right of way?

MR. BRODRICK: The War Department has no information on this subject, as the Deputy Ranger of the Curragh is under the jurisdiction of the Irish Board of Works.

#### THE DELAGOA BAY RAILWAY COMPANY.

MR. W. ABRAHAM (Limerick, W.): I beg to ask the Under Secretary of State for Foreign Affairs whether the award of the jurists assembled at Berne, Switzerland, in August, 1891, to decide the amount the Portuguese Government are to pay to the Delagoa Bay Railway Company for the forcible seizure of the above line has yet been promulgated; and, if not, when the award may be expected, seeing that nine months have already elapsed?

THE UNDER SECRETARY OF STATE FOR FOREIGN AFFAIRS (Mr. J. W. LOWTHER, Cumberland, Penrith): I think the hon. Member is under a misapprehension. The jurists have not yet assembled to hear the parties, nor has the case yet been before them on its merits. The cases of the Delagoa Bay Railway Company and of the American claimants were forwarded for presentation to the Arbitration Tribunal on the 2nd April last. The Arbitration Tribunal has ordered that the case of the Portuguese Government shall be presented to them not later than the 22nd July. A further period of three months is assigned for the reply and for the rejoinder. When the documentary evidence shall have been presented, the parties will be at liberty to plead by counsel. It is, therefore, impossible to say when the award may be expected.

#### THE USE OF REVOLVERS.

SIR J. BAIN (Whitehaven): I beg to ask the Secretary of State for the Home Department if his attention has been called to the numerous accidents and

cases of murder and suicide caused by revolvers; and whether there is any intention, by licensing the use of such weapons or otherwise, to lessen the dangers arising from their use?

THE SECRETARY OF STATE FOR THE HOME DEPARTMENT (Mr. MATTHEWS, Birmingham, E.): My attention has on several occasions been called to this question. A licence for a revolver is already required by law, as in the case of a gun. But any alteration in the present system of licensing is a matter involving restrictive legislation, which is found to be attended by considerable difficulty, and I do not think that the question can be dealt with by the Government during the present Session.

#### IMPROVEMENT WORKS IN THE HIGHLANDS.

MR. ANGUS SUTHERLAND (Sutherland): I beg to ask the Lord Advocate how many applications have been made to the Secretary for Scotland by County Councils in the Highlands for grants in aid of constructing and improving small harbours, piers, and boat slips, under Section 2 of The Western Highlands and Islands (Scotland) Act, 1891; what is the gross amount applied for, and what is the amount the Government proposes to ask Parliament for this Session, under the said Section?

\*SIR C. J. PEARSON: I have to inform the hon. Member in answer to the first part of the question that 33 applications have been received up to the present; but I am unable to state the gross amount applied for, as the estimates of cost are not completed. The hon. Member will find in the current Estimates that the Government ask Parliament for a sum of £8,000 for the minor works under the Act.

#### RAILWAY COMMUNICATION IN SCOTLAND.

MR. ANGUS SUTHERLAND: I beg to ask the First Lord of the Treasury whether the Government have considered the Report of the Special Committee appointed last Session to inquire into certain schemes for the improvement of railway communication on the western coast of Scotland; what



are the intentions of the Government with regard to the recommendations of the Committee in respect of the construction of a railway to Lochinver, on the west coast of Sutherland; and whether the Highland Railway Company have agreed to expend a sum of £200,000 in the construction, maintenance, and working of such line, on condition of obtaining assistance from the Government?

**THE FIRST LORD OF THE TREASURY** (Mr. A. J. BALFOUR, Manchester, E.): I am sorry I cannot give a definite answer to these two questions which the hon. Gentleman has put to me. It was only yesterday I had a discussion with the Secretary for Scotland and the Chancellor of the Exchequer as to what steps should be taken in both these matters; and I hope something will be done with regard to both of them in a very brief space of time. But I cannot at present give any definite information on the subject.

**DR. CLARK** (Caithness): Will the right hon. Gentleman be able to give a specific answer to the deputation to-morrow on this point?

**MR. A. J. BALFOUR**: I do not know that I can give more definite information on the subject; but before to-morrow I hope to have an opportunity of consulting with my colleagues.

#### THE COLLOONEY AND CLAREMORRIS LINE.

**MR. COLLERY** (Sligo, N.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether any final arrangement has been come to between the Treasury and the Waterford and Limerick Railway Company for the completion of the Collooney and Claremorris line; if any hitch, as reported, has arisen in the matter; and whether, in the event of the Waterford and Limerick Company not proceeding with the work, the Government have in view any further arrangement by which the line may be completed?

**MR. MADDEN** (who replied): I am not in a position to make any definite and conclusive statement in answer to the question. If the hon. Member would put it to the right hon.

Gentleman the Chief Secretary on Thursday he may be able to give him the information.

#### THE CONVICT P. W. NALLY.

**DR. TANNER** (Cork Co., Mid): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland if he can state by whom the information was given that the late P. W. Nally was engaged in a plot to escape, which led to his transfer from Mountjoy to Downpatrick Prison in 1886; and was the Governor of Mountjoy Prison aware of the matter before it was communicated to him by the Castle authorities?

**MR. MADDEN** (who replied): The information sought for by the hon. Member in the question is of such a character that it is never divulged by the Government, and would not be by any Government.

**DR. TANNER**: Am I to understand from the right hon. Gentleman that he cannot say where this information was obtained, whether inside or outside the gaol? Is the right hon. Gentleman aware that there is a certain stigma attaching to poor innocent people in connection with this subject?

**MR. MADDEN**: I have already stated that, whatever the hon. Member's motives may be in connection with the matter, any information of this kind no Government can divulge.

**DR. TANNER**: I will raise this subject on the Estimates.

#### LONDON COMPANIES' IRISH ESTATES.

**MR. TIMOTHY HEALY** (Longford, N.): I beg to ask the First Lord of the Treasury what is the cause of the delay in printing the evidence taken by the Committee on the London Companies' Irish Estates?

**MR. A. J. BALFOUR**: I am unfortunately not able to give very full information on this subject. I gather from a communication which I have received that the Committee only took evidence during part of the years 1889-90, and that that evidence has been printed. I shall make further inquiry, and may be able to give the hon. and learned Gentleman additional information on the subject.

**MR. TIMOTHY HEALY**: I thank the right hon. Gentleman. I was in-

formed in the proper office that the evidence was not printed.

#### PARLIAMENTARY PAPERS.

MR. BAUMANN (Camberwell, Peckham): I beg to ask the Secretary to the Treasury whether his attention has been drawn to the very inferior quality of the paper on which Parliamentary Papers are now printed, the pages being so thin that the type on the other side shows through; to whom the contract for the supply of this paper has been given, and at what price; and whether he will see that in future the paper is of ordinarily good quality?

\*THE SECRETARY TO THE TREASURY (Sir J. GORST, Chatham): No complaints on the subject, except that of the hon. Member, have reached me. I have inquired, and I am informed that there is no running contract for the supply of the paper in question. It is purchased by open tender as it is required, and the prices paid vary considerably. Steps have been taken by the Controller of the Stationery Office which, it is believed, will have the effect of materially improving the quality of future supplies.

#### PLEURO-PNEUMONIA ORDERS.

VISCOUNT CRANBORNE (Lancashire, N.E., Darwen): I beg to ask the President of the Board of Agriculture whether his attention has been called to the difficulty which was experienced in Lancashire on the day when the pleuro-pneumonia restrictions were removed, by the fact that the railway companies had no notice of their removal, and refused to transport cattle on that day; and whether he will direct in future that just as notice of the restrictions is sent to the railway companies, so also shall notice of their removal?

MR. H. GARDNER (Essex, Saffron Walden): Perhaps the right hon. Gentleman would also answer a question which I wish to put to him in connection with this subject. It is whether he is aware of the great complaints that have been made in Essex and elsewhere as to the manner in which notices from the Board of Agriculture have been circulated in rural districts, and whether he will impress upon the

authorities the desirability of giving better publicity to them?

THE PRESIDENT OF THE BOARD OF AGRICULTURE (MR. CHAPLIN, Lincolnshire, Sleaford): No, I am not aware of what the hon. Member has stated, but I will make inquiries about it, and see that proper publicity is given to these notices. I have no knowledge of the difficulty to which the noble Lord refers. The Order removing the pleuro-pneumonia restrictions in Lancashire was passed on 18th June, 1891, and took effect from 23rd June. Copies of it were sent on the day on which it was passed to all the principal Railway Companies in Lancashire, and on 20th June a copy was sent to every Railway Company in Great Britain. Speaking generally, I may say that the same measures are taken to notify the removal of restrictions as are taken when restrictions are imposed.

#### BALLINCOLLIG GUNPOWDER COMPANY.

DR. TANNER: I beg to ask the Financial Secretary to the War Office whether the Ballincollig Gunpowder Company have recently tendered for the supply of barrels; and, if so, for how many, with what conditions, and with what result; whether, in connection with the recent contract for gunpowder with the Ballincollig Powder Company, County Cork, it is a fact the contract was for 500 barrels; that the Government supplied 200 of these barrels, and asked the Company to supply the remaining 300; and whether these 300 will be supplied by the Government, or left to be rendered by local labour?

MR. BRODRICK: The contract with the Ballincollig Powder Company was for 500 gunpowder barrels, of which 200 had been previously ordered. The Company preferred to use the Government barrels for packing the gunpowder, and they have been invited by the Government to send barrels on future occasions of their own manufacture.

DR. TANNER: Am I to understand that the Government have left an option to the Company to supply these 300 barrels?

MR. BRODRICK: Certainly.

*Mr. Timothy Healy*

### VESTRYMEN AND VOTING PENALTIES.

MR. CAUSTON (Southwark, W.): I beg to ask the President of the Local Government Board whether, having regard to the large number of vestrymen in London affected by the recent decision of Mr. Justice Denman in the case of "*Gordon v. Williamson*," the Government will bring in at once a short Bill of idemnity to protect such vestrymen from the penalties to which that decision appears to render them liable?

\*THE PRESIDENT OF THE LOCAL GOVERNMENT BOARD (Mr. RITCHIE, Tower Hamlets, St. George's): The step which the hon. Member has suggested to the Government to take is a very serious one; and I am not aware of any circumstances which would justify the Government in proceeding as he proposes.

### EXAMINATIONS FOR CUSTOMS OFFICIALS.

MR. BAUMANN: On behalf of my hon. and learned Friend Mr. Forrest Fulton (West Ham, N.), I beg to ask the Secretary to the Treasury whether it is the intention of the Board of Customs to hold an examination for the position of first class examining officer within the next twelve months; and whether it is the intention of the Board to add any names to the original list of 61 candidates at the recent examination, seeing that almost every one of the 61 officers have now been promoted?

SIR J. GORST: It is not at present possible to fix the date for the next examination for vacancies of examining officer of the first class, but any further vacancies beyond the 61 provided for, which it may be thought necessary to fill, will be filled by a fresh examination, of which due notice will be given.

### BUSINESS OF THE HOUSE.

DR. TANNER: Might I ask the right hon. Gentleman the First Lord of the Treasury when he proposes to take the Vote on Account, and if there is any truth in the statement which is now being circulated that the right hon. Gentleman proposes taking a Vote on Account just before Whitsuntide so as to enable the business of the country

to be carried on up to next October, after the General Election?

MR. A. J. BALFOUR: I am afraid I cannot state absolutely, without consulting the Secretary to the Treasury, when the Vote on Account will be taken; but it certainly will be before Whitsuntide, and I do not believe it will be necessary to take a Vote for more than a few weeks.

DR. TANNER: Is Supply not going to be dealt with?

MR. A. J. BALFOUR: Oh, yes.

DR. TANNER: When?

MR. A. J. BALFOUR: I cannot tell the date.

### ORDERS OF THE DAY.

#### SMALL AGRICULTURAL HOLDINGS BILL.—(No. 183.)

COMMITTEE. [*Progress 9th May.*]

Considered in Committee.

(In the Committee.)

Clause 3.

Amendment proposed,

In page 2, line 24, after the word "Act," to insert the words—"The County Council shall have power to let one or more small holdings of not more than 15 acres each to a number of persons working on a co-operative system, provided the same be approved by the County Council."—(*Mr. Jesse Collings.*)

Question proposed, "That those words be there inserted."

Amendment agreed to.

(4.5.) MR. SEALE-HAYNE (Devon, Ashburton): I beg to move—

In page 2, line 24, after "Act," to insert,—  
"Provided that a tenant of any small holding may, before the expiration of his tenancy, remove any fruit and other trees and bushes planted or acquired by him for which he has no claim for compensation.

"Provided also, that any tenant of a small holding may, before the expiration of his tenancy, remove any toolhouse, shed, greenhouse, fowlhouse, or pigstye built or acquired by him for which he has no claim for compensation."

This is precisely the same Amendment which was agreed to by the Government in the Allotments Act, and it is copied from that Amendment. I understood from the right hon. Gentleman (Mr. Chaplin) last night that he was prepared to accept it.

Amendment proposed,

In page 2, line 24, after the word "Act," to insert the words "Provided that a tenant of any small holding may, before the expiration of his tenancy, remove any fruit and other trees and bushes planted or acquired by him for which he has no claim for compensation."

"Provided also, that any tenant of a small holding may, before the expiration of his tenancy, remove any toolhouse, shed, greenhouse, fowlhouse, or pigstye built or acquired by him for which he has no claim for compensation."—(Mr. Seale-Hayne.)

Question proposed, "That those words be there inserted."

(4.6.) THE PRESIDENT OF THE BOARD OF AGRICULTURE (Mr. CHAPLIN, Lincolnshire, Sleaford): The object sought to be attained by this Amendment is, I think, already provided for. It seems to me to be covered by the Agricultural Holdings Act.

MR. SEALE-HAYNE: I think the right hon. Gentleman will see that, at all events, that portion of the Amendment relating to the removal of

"Any toolhouse, shed, greenhouse, fowl house, or pigstye, built or acquired by him for which he has no claim for compensation" is not covered by the Agricultural Holdings Act.

Question put, and agreed to.

\*(4.7.) MR. COBB (Warwick, S.E., Rugby): I beg to move—

In page 2, line 24, after the words last inserted, to insert the words, "Provided also that the County Council shall not in any case require the payment from any tenant of his rent, or any part thereof, in advance."

I should like to know if the right hon. Gentleman will accept the Amendment?

Amendment proposed,

In page 2, line 24, after the words last inserted, to insert the words, "Provided also that the County Council shall not in any case require the payment from any tenant of his rent, or any part thereof, in advance." (Mr. Cobb.)

Question proposed, "That those words be there inserted."

(4.8.) MR. CHAPLIN: My own view is that matters of this kind ought to be left to the County Councils, as the popular representative body; and I am sure that they may be very properly left in their hands. I imagine that the County Councils are very unlikely to abuse their powers in this direction.

But if they ever do so, the remedy will be in the hands of the electors themselves.

\*MR. COBB: I have some experience as regards the Allotments Act. In the Allotments Act we know that the Rural Sanitary Authorities have power to demand one quarter's rent in advance; and I do not know anything in the Act that has produced more dissatisfaction amongst the tenants of allotments than this power which has been given to the Rural Sanitary Authorities or Boards of Guardians. I do not say they have exercised it in a great number of cases. I do not think they have; but the tenants of allotments feel it as a slur upon them that they should be the only class that should be called upon to pay their rents in advance. I may mention that when the Allotments Bill was under consideration I moved an exactly similar Amendment. Then the Members of the Government and the right hon. Gentleman the Member for West Birmingham and the hon. Member for the Bordesley Division voted against that Amendment. But I am happy to say that the hon. Member for Bordesley (Mr. Jesse Collings) and other hon. Members on the other side of the House repented of that course, because the next Session a Bill was introduced by them, one of the provisions of which was that the Sanitary Authorities in the rural districts should not have power to demand rents from allotment tenants in advance. If it was unnecessary to demand rents in advance in that case, I think it is still more unnecessary in this case. The point is a simple one, and I am sorry the right hon. Gentleman does not agree to my proposal. At all events, I consider the matter of sufficient importance to be decided by the Committee, and I shall certainly divide upon it.

(4.11.) MR. JESSE COLLINGS (Birmingham, Bordesley): There is a difference between allotments and these small holdings. I was in hopes that the Allotments Act would be largely adopted by populous boroughs. In that case there would be a large number of applications coming before the Treasurer or Borough Surveyor for allotments, and it would not be the

same as in the country where the administrative body would know each applicant. The authorities in a large city would have no guarantee whatever as to the character of the applicants, except in demanding, or in having the power to demand, that the rent should be paid down. But it is quite a different matter with small holdings, which are not likely to be taken up by men in towns. This Bill will be operative only in the country districts, where the County Council will know the personal character of all the applicants. In that case, I do not see any reason why these applicants, any more than any other tenants who apply for land, should be required to submit to terms which other tenants are not required to submit to.

\*SIR W. FOSTER (Derby, Ilkeston): I should like to support the Amendment, because I know that in many instances, under the Allotments Act, this payment of rent in advance has been felt to be a very great hardship. At the time he gets his allotment a man wants every penny he has in his possession in order to enable him to do justice to the land, and what is true of agricultural labourers obtaining allotments would, *à fortiori*, be true of agricultural labourers obtaining small holdings, and I am sure the chances of success of many a poor man in the rural districts would be very much enhanced if the right hon. Gentleman would allow this Amendment to be carried. I do not think the reasons given by the hon. Member for Bordesley are sufficient or adequate for his course of conduct on a former occasion. He admits that he sacrificed the rural labourers for the sake of the authorities of the large towns. He allowed the Allotments Act to pass in a form, which permitted authorities to take rent in advance, because he was afraid some people of not very good character might obtain allotments. I think that is a very inadequate reason, and I am glad the hon. Member is now in another frame of mind.

(4.14.) MR. BARCLAY (Forfarshire): This seems to me to be a practical question. I understand that the County Council will not have the right or option of selecting their tenants. They are a public body offering land to all

comers, and I think it would be injudicious and improper for the County Council to prefer one tenant to another. Of course, a private landlord would take care that a tenant would have some reasonable means to enable him to pay a fair rent; but here the only security of the County Council, if they are in doubt, will be to ask an applicant to pay the rent beforehand. I do not see how any County Council can refuse land to any ratepayer or any person in the land if he asks for it, although they may have very great doubts as to his ability to pay rent, and County Councils would have no security, for the crops would be removed and there would be nothing left for them. I think, in the interests of the poor man who has very little credit, it would be an advantage to him to pay his rent in advance in order to get the land.

(4.16.) MR. HERBERT KNATCHBULL-HUGESSEN (Kent, Faversham): I hope my right hon. Friend will be firm in resisting the Amendment. It seems to me an unwise attempt to fetter the County Council. Hon. Gentlemen opposite do not seem to have much faith in a County Council if they cannot trust it to do justice between man and man in a matter of this kind.

Question put.

(4.20.) The Committee divided:—Ayes 138; Noes 205.—(Div. List, No. 117.)

(4.33.) MR. THOMAS ELLIS (Merionethshire): I beg to move, in page 2, line 27, to leave out the word "inclusive," and insert the word "exclusive." I propose this Amendment in order that the County Council may have a larger sum available for the purchase of obtaining land, and that the allowance to officers of the Council for work connected with the acquisition and adaptation of the land should not be included in it.

Amendment proposed, in page 2, line 27, to leave out the word "inclusive," and insert the word "exclusive."—(Mr. Thomas Ellis.)

Question proposed, "That the word 'inclusive' stand part of the Clause."

MR. CHAPLIN: I cannot accept the Amendment of the hon. Member,



because it would throw the expense of the operation of the Act upon the rates.

Question put, and agreed to.

Clause 4.

\*(4.39.) MR. COBB: It is desirable that the inquiry should be made by those who know something about the locality concerned. Therefore, I propose that the Committee should not necessarily be the same in every case, but that it should vary according to the part of the country in which it is alleged in the petition that there is a demand for small holdings. If the right hon. Gentleman can assure me that it is his intention to carry out some such arrangement, I will withdraw this Amendment at once. I should be quite satisfied as long as steps are taken to meet local requirements.

Amendment proposed,

In page 2, line 32, after the word "Act," to insert the words "and the constitution of such Committee shall vary according to the part or parts of the county in which it is alleged, in any petition presented under Sub-section 2 of this section, that there is a demand for small holdings. Such Committee shall include the Councillor or Councillors representing such part or parts, and every Councillor and Alderman residing therein, and also the chairman of every District and Parish Council that may be established by any Act of Parliament which may be passed in this or any succeeding Session of Parliament which comprises such part or parts in its area."—(Mr. Cobb.)

Question proposed, "That those words be there inserted."

MR. CHAPLIN: I cannot accept the Amendment as it stands, but I recognise the force of the hon. Member's suggestion, and I am prepared to meet him by amending the clause so that Councillors of the district in which there is a demand for small holdings shall in all cases be added to the Committee.

\*MR. COBB: Is there any reason why the right hon. Gentleman should not put in Aldermen as well?

MR. CHAPLIN: I will take the Aldermen too.

(4.40.) MR. JESSE COLLINGS: I understand that the Committee appointed under Sub-section 4 is to be a permanent body, and, judging by the work to be carried out, it would be

*Mr. Chaplin*

necessary that it should be a continuing body. In this case I hope it will be a very important body—in fact, a sort of Land Court for the county—and that, in accepting the Amendment, the right hon. Gentleman will not do anything to destroy its permanent character.

\*MR. COBB: The object of the Amendment is to vary the Committee according to the different districts, so that when an inquiry is made those who are on the Committee may know something about it. It appears to me that the right hon. Gentleman is inclined to go much farther towards satisfying us than the hon. Member for Bordesley.

VISCOUNT EBRINGTON (Devon, Tavistock): I think it would improve the machinery of the Bill if the Amendment were adopted.

(4.48.) MR. STOREY (Sunderland): There is another important matter to be considered. The County Councils are to assume the management of the farms and holdings within the boroughs, but the Town Councils are to have nothing to do with them. Now I suggest that that is a great defect in the Bill. The right hon. Gentleman should remember that all the counties are not agricultural counties. There are, for instance, 700,000 people in the county of Durham; 60,000 of them are particularly interested in this Bill, while all the rest are manufacturers, miners, and shipbuilders, and the right hon. Gentleman is going to take the rates of the towns in order to place a certain number of persons in possession of land. I submit that in the case of such counties as Durham the Town Councils should not be ignored. There should be an addition to the clause which would enable Borough Councils to have some voice in the settlement of their own affairs.

THE CHAIRMAN: I would point out to the hon. Member that that question will arise particularly on another clause. Is it the pleasure of the Committee that the Amendment be withdrawn?

Amendment, by leave, withdrawn.

\*SIR W. B. BARTTELOT (Sussex, North-West): I wish to move in page 2, line 33, to leave out the words, "one or more," and insert "six." Six electors would then be able to present.

a Petition to the Council of their county alleging that there is a demand for small holdings in the county, and praying that the Act shall be put in force.

Amendment proposed, in page 2, line 33, to leave out the words "one or more," and insert the word "six."  
—(Sir W. B. Barttelot.)

Question proposed, "That the words proposed to be left out stand part of the Clause."

MR. CHAPLIN: If the hon. Member will look a little lower down the clause he will find that I have endeavoured to avoid the difficulty indicated by him. It is there stated that—

"The petition shall be referred to a Committee appointed under this section, who, on being satisfied that the petition is presented in good faith and on reasonable grounds, shall forthwith cause an inquiry into the circumstances to be made, and shall report the result to the Council."

After the discussion we had on this particular question on the Allotments Bill, I should prefer to keep the clause as it is at present.

Question put, and agreed to.

(4.57.) MR. CHAPLIN: I will now move an addition to the third subsection, which may meet the views of the hon. Member for Rugby (Mr. Cobb)—

"In the event of the Councillor or Councillors representing part or parts of the county in which it is alleged that there is a demand for small holdings not being a Member or Members of the Committee, he or they shall be added to the Committee for the purpose of the consideration of the alleged demand."

The hon. Member suggested the addition of "Aldermen." I am not able now to agree to it, but I will consider the suggestion, and will endeavour to make some arrangement with regard to it. As to the observations of the hon. Member for Sunderland, I would point out that the whole question was discussed with considerable length at an earlier period of the Debate on this Bill, and that I have already made concessions in regard to it.

Amendment agreed to.

(4.59.) MR. HALDANE (Haddington): I beg to move, in page 2, after line 40, to add—

"(3.) When such a petition has been presented to the Council of a County, and the Council resolve not to put this part of this Act into operation, the Council shall send a copy of the petition, accompanied by a statement of their reasons for not acting upon it, and a copy of the Report of the Committee, to the Local Government Board, and thereupon the Local Government Board may, if they think fit, direct a local inquiry to be held by some person to be appointed for the purpose, and a report to be made with respect to the correctness and sufficiency of such reasons and report, and any matter connected therewith on which information may appear desirable."

The objection is presented that the County Councils have already discretion as to putting the Act in force. In proper cases we do not want to control their discretion; but there are County Councils who, for various motives, may not be desirous of doing their duty to the full extent in the way of perfectly considering the proposals of the Act, and, accordingly, this Amendment suggests that if the County Council, having a petition before them, resolve not to act, it shall be their duty to send a copy of the petition, with a statement of their reasons for not acting upon it, to the Local Government Board. Then the Local Government Board has discretionary power to direct an inquiry into the sufficiency of the reasons offered for not putting the Act into operation. The object of that is that we shall be able to move for Returns of the counties in which the Act is not in operation, and so get at the question of what the various County Councils have been doing. We shall exercise a sort of moral control over their operations, and there will be some sort of stimulus to action on their part. I beg to move this sub-clause.

Amendment proposed,

In page 2, after line 40, add—(3.) When such a petition has been presented to the Council of a County, and the Council resolve not to put this part of this Act into operation, the Council shall send a copy of the petition, accompanied by a statement of their reasons for not acting upon it, and a copy of the Report of the Committee to the Local Government Board, and thereupon the Local Government Board may, if they think fit, direct a local inquiry to be held by some person to be appointed for the purpose, and a report to be made with respect to the correctness and sufficiency of such reasons and report, and any matter connected therewith on which information may appear desirable."—(Mr. Haldane.)

Question proposed, "That those words be there added."

MR. CHAPLIN: Supposing I accepted the Amendment, and the Local Government Board did send down to make this inquiry to which the hon. Member refers, and their officer reported. What then, there being no way of giving effect to the decision of the Local Government Board? It seems to me, therefore, that, in addition to over-riding in a somewhat harsh manner the decision of the Local Authority, which is naturally best fitted to judge of the requirements of its own district, no practical good would result from the Amendment.

MR. BARCLAY: For the sake of information, would the right hon. Gentleman be willing to agree to a clause requiring County Councils to send a copy of the petitions to the Local Government Board so as to afford an opportunity of ascertaining how the Act was being dealt with?

MR. STOREY: I think we may agree that the Local Government Board will often get snubbed. The Local Authorities can very well take care of their own affairs, unless the hon. Member would carry his Amendment further, and agree that national instead of local money shall be expended. If we are going to spend our own rates we really do not want to have anything to do with the Local Government Board.

Question put, and negatived.

Motion made, and Question proposed, "That the Clause, as amended, be agreed to."

MR. GRAY (Essex, Maldon): Before the clause is passed, I wish to ask whether the Committee referred to in this clause may contain any other person than a member of the County Council, if the members deem it wise to appoint someone from their own body in order to give information on the subject before them? The hon. Member for Bordesley Division (Mr. Jesse Collings), I think, told us that in reference to a somewhat similar authority outsiders were sometimes admitted to special Committees.

MR. JESSE COLLINGS: Before the right hon. Gentleman replies, may

I say that I was contending for the continuity of the Committee? As I understand it, the County Council will, when it meets, appoint a Committee for Small Holdings. What I understood was an intention to have separate Committees for separate inquiries, and so never have a permanent Committee as a standing part of the Council. That is what I wished to say. The hon. Member for Rugby (Mr. Cobb) seemed to make light of that, although it seems to be the very thing he himself has done.

THE CHAIRMAN: Order, order! I think the Committee may be spared.

MR. JESSE COLLINGS: Yes, I think so, too. The hon. Member will remember he is not on the platform.

THE CHAIRMAN: Order, order!

MR. CHAPLIN: In reply to the hon. Member behind me, what he asks can be done where it is provided for by Act of Parliament. Under the effect of the Bill as it stands there will be a permanent Committee to put this Act into operation, and to take cognisance of any petitions for the acquisition of land for small holdings which are presented, and to make inquiries into the subject. That accomplished it will report to the County Council. My object in inserting the clause was that such a petition might receive merited consideration.

Motion agreed to.

Clause, as amended, agreed to.

Clause 5.

On Motion of Mr. CHAPLIN, the following Amendment was agreed to:—In page 3, line 1, after the word "holding," to insert the words "sold by the County Council."

\*MR. HENEAGE (Great Grimsby): I move, further, to omit the words "all costs of conveyance," and to insert—

"The costs of such certificate of transfer or registration of title as shall be deemed necessary for an indefeasible title under this Act."

I consider that if the costs of re-conveyance be left in this Clause, that the Bill will practically become inoperative. We know that at the present time there is great difficulty in effecting sales of land on account of the great cost of conveyance, but here there will be a double cost—the conveyance from

the original owner to the County Council and re-conveyance from the County Council to the person who buys the land. The words "cost of conveyance" in this Clause do not apply to the original costs, because they are dealt with under Clause 3, and become part of the cost of purchase. Therefore, the only object of putting them in this Clause is to force the purchaser to pay the cost of conveyance in the second case. If that is to be so—taking a share of the original conveyance which is scattered over the different holdings under Clause 3 and the whole cost of re-conveyance in Clause 5—there will, in the case of a small holding of two or three acres, be added 40 to 50 per cent. to the purchase money. Therefore, as I am quite certain that the Bill would become utterly and entirely inoperative, I desire to leave out the words, and to establish in the Bill a system of transfer to the new purchaser from the County Council by means of a registration. The question of registration is nothing new. It has been in the platform of various Governments since 1880, and in 1887 a Bill dealing with registration was introduced by the present Government. Then there is the Land Registration Act now in operation, although nothing has been done under it since 1875, and there was a Clause similar to the one I have proposed in the Irish Bill of last year. The Minister of Agriculture himself has practically admitted the necessity of this, for I find he has placed an Amendment on the Paper himself providing for the payment of the costs of conveyance to the purchaser, including any costs of registration of title. But I do not care for his Amendment, because it still leaves the alternative of re-conveyance in the Bill, and the Committee may be perfectly certain that with the great objection lawyers have shown to any alteration in the law with regard to registration and transfer, the County Councils will be a long while before, under the advice of their clerks, they obtain such a system of registration as would make this Bill operative and practicable. I wish, therefore, to take out of the Bill all question of re-conveyance and have only one conveyance between the original owners and the

County Councils, so that the County Councils shall by a simple transfer deed transfer the land at the cost of a few shillings to the purchaser. I am perfectly well aware that my words, as they stand, will not entirely accomplish the object I have in view; but if the right hon. Gentleman will look a little further on on the Amendment Paper he will find that I have down an Amendment to Clause 6, as well as the hon. Member for Bordesley (Mr. Jesse Collings), which would carry out the proposal if these words are inserted in the Bill. And I may say that the hon. Member for Carnarvonshire (Mr. Rathbone) has an Amendment down which I shall be willing to accept in place of my own. I do hope that we are not going to place on the Statute Book an Act which never will be used, because it is utterly and entirely impossible that the purchasers of these small holdings can afford to pay the expenses of conveyance. The difficulty of purchasing land is no doubt a matter that has come home to us all. There are plenty of instances now of Nonconformist chapels and schools never having been enfranchised, and for which is still paid a yearly rental, because those interested prefer trusting to the good faith of the person from whom they rented the land instead of paying the expenses of conveyance, and I am certain that that would be the case here if it were possible. But here they will not have the option. They must either pay for the conveyance, or go without the land altogether, and therefore it is a question whether the Act shall come into force or not. My objection to the right hon. Gentleman's Amendment is not that I prefer my words to his, but because he would leave no option in this matter, as I think if there is an option we shall never get a system of registration. We want a register to be kept by the County Councils by order of the Lord Chancellor, to carry out the provisions of the Act of 1875, and that the transfer of land shall be by means of this register at a nominal cost to the purchaser, and not by a second conveyance with all the costs of lawyers' bills.



Amendment proposed,

In page 3, line 2, after the word "include," to leave out "all costs of conveyance," and insert "the costs of such certificate of transfer and registration of title as shall be deemed necessary for an indefeasible title under this Act."—(*Mr. Heneage.*)

Question proposed, "That the words proposed to be left out stand part of the Clause."

\*(5.10.) MR. RATHBONE (Carnarvonshire, Arfon): I agree with what has fallen from the right hon. Gentleman who has just spoken. I believe that the uses of this Bill will in a few years be absolutely extinct, unless you adopt an Amendment for entirely clearing the titles from all those difficulties which have made the transfer of land up to this time so expensive that land has practically been a monopoly of the rich. The right hon. Gentleman (Mr. Chaplin) has done a very good work in this Bill in giving to the owners of the holdings he has created an indefeasible title, and freeing them from the difficulties other land is subjected to. But unless he does something to keep the titles as clear and indefeasible as he makes them, in a short time all the evils of the system of land tenure in this country, and which Government after Government have attempted to remove, will re-appear, and the whole benefits conferred by this Bill will be lost. Now, Sir, this is a difficulty I have considered for the last 30 years. It does not merely affect the kind of holdings you are now creating. It has been the main difficulty in preventing workmen from owning their houses, or people in the neighbourhood of small towns possessing plots of land. Owing to the cost of transfer, land has become one of the most expensive things a man can invest in. We have to regret the disappearance of small holders of land, and I think the real reason for the disappearance of that class is the difficulty of replacing them. When a merchant disappears he can be replaced by anyone who wishes to take his place without immense expense; but when a small holder is thinking of buying a property he knows he is exposed to great uncertainty with regard to what he may be called upon to pay in the way of costs for conveyance. This is a difficulty that does not stand in the way of a

large owner of property adding a farm to his estate to the same extent as in the case of a small man buying a property. I recollect a striking instance bearing on this point being brought before me some years ago, when I was engaged in carrying a Bill through this House for the purpose of making easier and less expensive the transfer of land. A man wrote to me to say he was so glad I had introduced that particular Bill. He had bought a house for £150, and he bargained with an attorney to convey it to him for £5; but when the bill of costs was sent in, the man found he had to pay more than £30. He applied to a lawyer, and was told there was no help for it. Well, about the same time I bought a small property for £4,000, and my total expenses for transfer were £40, so that in one case the cost was 1 per cent., and in the other 20 per cent. It is on account of this enormous cost of transfer to the comparatively poor that we have this disappearance of small holders. Then there is another point, and I am glad to observe signs in this Bill which indicate that the right hon. Gentleman sees the importance of it, because it is one of the greatest difficulties in the way of making his scheme of benefit to the working classes. The right hon. Gentleman the Member for Midlothian (Mr. Gladstone) has rightly called attention to this. Suppose a man has saved a little money. Well, he can employ it a great deal better by taking a large farm and using it as capital than by buying a property. But if the right hon. Gentleman (Mr. Chaplin) will make his small holding current coin, that can be borrowed upon without risk or expense, he gets rid of that difficulty. Supposing a man has £1,000, and he buys with it ten acres of land. He has hardly any working capital left. But if you make his holding current coin, with no difficulty in borrowing upon it beyond an examination of the register, the man has only to take the register to the banker, and the banker, if he knows him to be a good farmer, will advance him more than the whole value of his farm, because he knows he has that additional security in his stock, &c., which a banker acts upon. Your system, however, whatever it is, must be perfectly



simple, and prevent the crowding of your title now or in the future with all the present difficulties. If the right hon. Gentleman does something of that kind than the comparatively poor man may safely invest his money in land, because it will be available for carrying on his business. I do not wish to detain the House longer, but I must say that I think the Amendment is necessary and that registration should be made compulsory, and I hope the right hon. Gentleman will take care to provide that the titles to the small holdings, as time goes on, shall be just as indefeasible as on the day he gives them.

MR. CHAPLIN: I can assure the right hon. Member for Grimsby (Mr. Heneage) that I am as anxious as he is that the Bill should be made a real one. It will be seen that I have placed on the Paper an Amendment which seems to me to differ very little, if at all, from the Amendment of my right hon. Friend. I would suggest that he should allow me to insert the Amendment I have to propose at a further stage, and that we should postpone this discussion on registration until it can be dealt with in new clauses. I may add that I have a perfectly open mind on this point, and without pledging myself further at the present time I may state that I am most anxious to deal with this question, and that I propose to put clauses on the Paper dealing with it.

\*(5.20.) MR. HENEAGE: I should be glad to accept the proposition of the right hon. Gentleman, but while, according to his Amendment, it is voluntary, with the County Council to establish a register, in mine it is compulsory. This will have a very great effect upon the lawyers' bills; and as the clerks to the Councils will be the persons to benefit by these charges, I want to make it incumbent on them to establish registration. If the right hon. Gentleman wishes me to understand that he desires it to be compulsory, and that that will be the effect of the new clause, I agree with him it would be better to discuss the clause when it comes.

(5.21.) THE ATTORNEY GENERAL (Sir R. WEBSTER, Isle of Wight): I think this matter could very much better be discussed when the clause is

brought up. The right hon. Gentleman will find that the words are substantially the same in both cases.

\*(5.22.) MR. HENEAGE: It is a question of machinery. I think that it is better that the registration should be compulsory, but I agree that it is better that the matter should be discussed later on.

MR. JESSE COLLINGS: I should like to ask if these words "costs of conveyance" are kept in will they include the cost of proving the title?

MR. CHAPLIN: That question was settled in an earlier part of the Bill.

MR. HALDANE: I think it would be better to postpone the discussion on this very important matter till the clause is brought up.

Question put, and agreed to.

(5.23.) MR. CHAPLIN: I beg to move in page 3, line 2, to leave out the words "costs of conveyance," and insert the words "the costs of conveyance to the purchaser (including any costs of registration of title)."

Amendment agreed to.

(5.24.) DR. CLARK (Caithness): I think it desirable now to determine what shall be purchased by the County Council and what shall be sold by the County Council to the purchaser. The proposal of the Bill is that one-fourth of the money shall be paid, and there are Amendments suggesting several other percentages, but I want to raise a question of principle. I do not want the County Council to sell to the small holder an economic rent, and I propose to add these words after "assistance," in line 3—

"It shall include the value of all buildings, roads, fencing, drains, and other improvements, all value due to the expenditure of capital and labour in forming the holding, but shall not include the natural value of the soil and site or economic rent."

I wanted to get the legal jargon to express these economic phrases, and I asked several hon. and learned Gentlemen on this side, but I could not get what I wanted, and I have had to leave the words in ordinary phrases. At present rent represents two things: It represents the interest payable to the landlord for capital invested in the buildings, drains, and in all those so-called improvements which add to the value of

the soil. So far as England is concerned, that probably represents from three-quarters to four-fifths of the rent payable by tenants. The economic rent is what remains. There is the value which labour and capital have created, the value given to the land by its possessor or his predecessors. But there is another value, which is simply the value of the inherent power of the soil. Take, for instance, four fields, and place in those fields the same amount of capital and labour, and yet one gives 30 bushels to the acre, another 35, another 40, and the fourth may give more. That depends simply on the geological and chemical structure of the soil, not created by any individual, but created by nature, and no one is entitled to the rent from it in preference to any other individual. Then there is also the value of site, which is also economic. This natural value of the soil ought to go to the County Council for the purposes of taxation. If you sell it to a new holder you are giving him a right to a superior soil. You are giving him a monopoly and a privilege by which he will become richer than his fellows in a similar position who have not got his privilege. The question is between what the County Council buys and what it sells. I take it that the four per cent. you are going to charge on what is allowed to remain will represent the difference. I think that should be retained by the County Council in perpetuity. I will not detain the Committee further, but will move my Amendment.

#### Amendment proposed,

In page 3, line 3, after the word "assistance," to insert the words "It shall include the value of all buildings, roads, fencing, drains, and other improvements, all value due to the expenditure of capital and labour in forming the holding, but shall not include the natural value of the soil and site or economic rent."—(Dr. Clark.)

Question proposed, "That those words be there inserted."

(5.30.) MR. CHAPLIN: So far as I have been able to apprehend his meaning, the Member for Caithness (Dr. Clark) says that rent represents two things: one of them is the interest which may fairly be claimed for outlay that has been made on the land by the owner, or by those who expended

Dr. Clark

money on it; and the other is the economic rent which he describes as the inherent power of the soil. No one, he says, has any right to that inherent value. There we part company, and I do not think it is necessary for me to discuss the question at any great length. Take the case of a man who has bought a piece of land. I hold that the man's right to his land in that case is exactly the same as the right of the hon. Member to the coat on his back or the watch in his pocket. The cases are exactly the same, and I trust the hon. Member will forgive me if I decline to enter into a discussion which promises to go into the question of land nationalisation.

(5.31.) DR. CLARK: I think the right hon. Gentleman knows something about the matter, but he is trying to throw dust in our eyes. He was unfortunate in his illustration, for the coat on my back is the result of human industry, and the labourer who created it from the raw material had a right to it. I will go further, and say that the men who now have the soil have a right to it, and if we take it away from them they ought to be compensated. But in this case we are not dealing with present landlords; we are going to create new rights in holdings, and the question is whether there should be any limit. The only proper basis of property is that the labourer who creates it, and those who by abstinence save it, have a right to it. But with respect to the natural power of the soil, the right hon. Gentleman knows that there is a difference, though he declines to discuss it, and his argument about my coat and my watch is entirely beside the point. He knows very well also the value of site; and if he wishes to treat the matter in this way, we shall have a Division to take the view of the House on the matter. I sense we quite know in this case whether do not the legal phrase is nationalisation or localisation; but hon. Members will follow my meaning when I say that no one has any more than his fellows, of the soil has not created it, and it because he belongs to the whole community. ought to belong to the whole community. The present landlords have been permitted to hold the land, and when making a change it is best and when making

to do it by purchase or compensation. I want to nationalise, so to speak, for the county the economic value of the holdings which may be sold by the County Council.

(5.36.) MR. STOREY: I should be glad to agree with my hon. Friend if I could grasp his meaning. As the Bill stands the County Council can buy land and sell to the new occupier what it likes, and if it chooses to adopt the view of my hon. Friend and sell only a portion, reserving the rest in the form of a rent-charge, it can do so. By so doing it will be repaid the capital amount, and in the future receive interest on the unsold part of the holding. I therefore fail to see what my hon. Friend seeks to gain by his Amendment.

\*(5.38.) MR. MORTON (Peterborough): This is an Amendment which we might well have had an opportunity of considering. As I understand it, the Amendment makes it compulsory on the County Council to reserve a rent which my hon. Friend called the economic rent. That would be the proper way to deal with the question, for then in course of time the County or Parish Councils would probably receive sufficient rent, to pay their local rates. I do not take it that there is any confiscation as suggested by the right hon. Gentleman, as the new occupiers would only pay for what they got. I do not believe that the Amendment is likely at this moment to get proper consideration, but I believe it is the proper way to deal with the land question, especially with a view to the future.

(5.40.) MR. CRAWFORD (Lanark, N.E.): I hope my hon. Friend will not press the Amendment. It appears to me that it would produce exactly the opposite effect to that which he intends. He intends that the economic rent, which he defines as those qualities of the land which are not conferred by labour, but which arise from the qualities of the soil and the advantage of situation, should be kept for the benefit of the County Council and not go to the new freeholder. On the principle there might be something to say, but how would it work out? The County Council might buy land for £100, and then sell it to the new

freeholders for £80, supposing one-fifth to represent that which he says is unsaleable; therefore, the County Council would be one-fifth to the bad on the transaction, instead of being one-fifth to the good.

(5.42.) MR. ESSLEMONT (Aberdeen, E.): The County Council would not be quite so badly off as my hon. Friend who has just sat down seems to think, for they would retain the 20 per cent. as a quit-rent, but I do not think the suggestion of my hon. Friend in the Amendment is a practical one. My view is that a much larger proportion of the value would be wisely retained by the Council, even as much as 80 per cent. We should try to get from the Government the retention of a quit-rent in as large a proportion as we can. If the County Council sells right out in any future dealing with the land question we should have to deal with a hundred proprietors, while now we have only to deal with one. I hope the Amendment will not be pressed to a Division, as I think it would defeat the object we have in view.

(5.44.) DR. CLARK: I am desirous of taking a Division on the Amendment, as this is the first time, so far as Great Britain is concerned, that we have had the Irish principle, which I opposed, before us. I do not wish to transfer an unjust monopoly from one class, a small one, to another class, a large one. I do not think the hon. Member for Lanark (Mr. Crawford) heard me explain that the difference is simply whether you sell certain things at a certain price, or other things at a higher price. The economic value of these holdings will go on increasing with the increase of the population, and the increase of wealth which will follow the future decrease of competition by our Colonies and America, which will require all their food-stuffs for themselves. Under these circumstances, I think I am compelled to take a Division.

Question put.

(5.45.) The Committee divided:—  
Ayes 42; Noes 329.—(Div. List, No. 118.)

(6.4.) MR. BARCLAY: I beg to move—

In page 3, line 6, after the word "purchase" to insert the words—(3.) "The whole or part of the purchase money may be paid by annual or semi-annual instalments, but such instalments shall not extend over a period of fifty years from the date of the sale as may be agreed on with the Council."

The object of this Amendment is to facilitate the acquisition of land by people of small capital, and at the same time to give perfect security to the County Councils. This proposal does not make it imperative upon the County Councils; it only empowers the County Councils and authorises them, if they see fit, to receive the whole of the price of the land, or part of the price by annual instalments. I think after the experience we have had of these instalments in Ireland, we ought to have equal confidence in the small farmers of England and Scotland. Speaking with regard to Scotland, I can say if this system were adopted a small capitalist occupying his land would strain every effort to pay his instalments. I hope the Government will look with favour upon this Amendment. It is not imperative, but enables the County Council, if they think they can do so with security, to take payment of the price by instalments.

Amendment proposed,

In page 3, line 6, after the word "purchase" to insert, as a new sub-section, the words—(3.) "The whole or part of the purchase money may be paid by annual or semi-annual instalments, but such instalments shall not extend over a period of fifty years from the date of the sale as may be agreed on with the Council"—(*Mr. Barclay*.)

Question proposed, "That those words be there inserted."

(6.7.) **MR. CHAPLIN:** If the hon. Member will look again at Sub-section 4, he will see that the County Council can do exactly what he desires.

**MR. BARCLAY:** That is the objectionable portion.

**MR. CHAPLIN:** If the object is to ask me to give up that, then I cannot.

(6.8.) **MR. HALDANE:** This Amendment is a very important one. It negatives any future attempt to get rid of the one-fourth deposit. Now, I own it seems to me that this clause requiring a deposit is a very great difficulty in the way of this Bill becoming

an effectual Bill. Suppose a small holder wishes to become a small occupier under this Bill, what is his position? He has got to find money for stock. Some people put it as high as £10 an acre, and nobody puts it lower than £3 an acre. Suppose it is a farm of between 30 and 40 acres, that means he has got to find £100 down. Then, under the Bill, he has got to find this deposit in addition. That will mean he has got to find another £100 or £150. How many agricultural labourers are there in this country who can find £200? They will find difficulty in getting enough for the bare requisites of stock, and in making a living as they go on. On these grounds we who are anxious to remove this restriction must support the Amendment. It is said there is a danger that you will be letting in an impecunious class of tenants. But there would be no more danger of that than in letting—certainly no more danger than in the case of the Irish tenants. This minimum deposit is something new, and it seems to me if you intend to reach the class who have not got a large amount of means to come and go upon, it is a very unnecessary and unnatural provision to introduce into a Bill of this kind.

\*(6.11.) **MR. MORTON:** I confess I agree with this Amendment so far as it would allow County Councils to advance the whole of the purchase money. I cannot see how this Bill is to be of any use at all to the class of agriculturists whom it is hoped to benefit, unless you lend them the whole of the money. We have to bear in mind that they will in any case have to stock these little holdings to some extent, and how you can expect them, in addition, to find 10 or 20 per cent. of the purchase money, I cannot understand at all. There is another matter. In the Irish Land Purchase Bills, including the one passed last Session, we advance the whole of the purchase money to the Irish tenants. Now, I want to know why we should do that to the Irish people and not to the English, Scotch and Welsh? Why should the right hon. Gentleman propose to deal less fairly with what, at any rate, has been the most orderly portion of the United Kingdom? He may no doubt say that owing to the extreme agitation in Ireland you have

*Mr. Barclay*

been obliged to pass Land Purchase Bills which advance the whole purchase money to the tenant; but if he says so he is inviting the people of England Scotland and Wales to agitate in the same manner in which the Irish people have had to agitate to draw attention to, and get some amelioration of, their grievances. I therefore protest against the attempt of the right hon. Gentleman to deal less favourably with the English agricultural labourer, if you like to so term him, and with the Scotch and Welsh; and I say distinctly that Parliament has a right to deal with all the nationalities alike, and that if you advance the whole of the money to the Irish tenant you ought to do the same for the other parts of the United Kingdom. Now, of course, it may be also said that we ought to have a margin for the protection of the County Council who lend the money. That is all right in advancing money on an ordinary mortgage; but I take it that there is no occasion for this where you are proposing to benefit a class who have not got much or any money, and that the County or the Parish Council should take the risk in the same way that it was intended benefit building societies should do; the whole of the members taking the risk for the first few years. I hope the right hon. Gentleman will really give us some better explanation than he has given of his refusal to consider this Amendment. I should like him to explain to this Committee how he expects the agricultural labourers and others who have been meeting him in the country, and to whom he says he is giving such large benefits, to get any benefit unless he advances the whole of the purchase money. I do not think there would be any risk in the matter at all to the County Council or anybody else, because I think it very likely that these holdings instead of decreasing will increase in value. I shall gladly support this Amendment, because I believe the Bill will be of very little use unless it is adopted.

(6.15.) MR. MARJORIBANKS (Berwickshire): I regret that this point should have been raised on the Amendment of the hon. Member for Forfarshire (Mr. Barclay) rather than on that of the hon. Member for Had-

dingtonshire (Mr. Haldane), because I think the latter raises the question in a much neater and clearer form than the present Amendment. But I am bound to confess—the question having been raised—that, so far as Scotchmen are concerned, I believe that to insist upon the payment down of a quarter of the purchase money will really render the Bill nugatory. I have had occasion before on this Bill to say that we in Scotland do not look to it to give us those small holdings which English Members expect to establish in England. In Scotland, the would-be small holder expects to get a larger class of holding altogether than the 10, 15, or 20 acre holding expected to be instituted in England; and I do not think any such holder in Scotland would be content to enter upon his holding with a capital of only £3 an acre to stock and to work it. I am much more inclined to think that £10 per acre would be nearer the sum necessary to work a holding of 40 acres and to make it profitable. That, therefore, means that a man in Scotland would require a large amount of capital to enter upon his small holding. Now, the vast majority of Scotch agricultural labourers, or farm servants, have not got large sums of money by them, and the whole of the sum they had would be sunk in this payment down of the quarter of the purchase money. They would, therefore, find themselves incapable of stocking the farms and obtaining working plant. I am quite sure that from the Scotch point of view we must do our very best to insist upon the exclusion of this quarter of the purchase money if we possibly can.

\*(6.18.) MR. THORBURN (Peebles and Selkirk): I thoroughly agree with what has been said by my right hon. Friend (Mr. Marjoribanks). In Scotland this Bill will be rendered to a great extent inoperative, if one-fourth of the purchase money is required to be paid down. Take, for instance, a pastoral holding. A man taking one would require something like £300 to stock his farm, and if, in addition, he has to find a fourth of the purchase money, I do not believe you will get any appreciable number of people to take the holdings on such conditions. I should like to see this Bill a



thoroughly successful Bill as regards both England and Scotland, and I feel convinced in my own mind that if the Government accede to the Amendment of my hon. Friend the effect upon the working of the Bill will be of the most beneficial nature.

MR. CHAPLIN: I think it would have been more convenient if this discussion had been taken on the Amendment following the one now before us. We seem to be discussing two distinct things at once. In the first place, there is the question whether there should be any payment at all, and then there is the subsidiary question of what that amount should be if there is to be one. I think it would be more convenient to confine ourselves, at first, to the question of whether there should be any payment at all, and I would like to advance some reasons in favour of insisting on it. The provision was inserted in order to give some security, and not an unreasonable security, against loss to the ratepayers. That surely is a consideration which should have received some attention from hon. Members; but it appears to have been entirely omitted from the view of those who have taken part in the Debate. With such a provision as that contained in the Bill, if from any cause there should be a deficit in the tenants' payments, which in the ordinary course would come upon the rates, the County Council would have security. We have been told that the provision would make the Bill a dead letter. But I have frequently pointed out that we have made provision in another manner for those who are not in a position to pay down a sum of money, by enabling the County Council to let the land instead of selling it, and only last night I agreed to extend the limit at which land may be let from 10 to 15 acres. All that will happen where persons are not able to pay down a sum of money will be that they will become tenants under the Local Authority, and with regard to that I have heard argument after argument in favour of their being made tenants instead of purchasers. As to the statement that England and Scotland have been treated unfairly as compared with Ireland, where the tenants are enabled to buy their holdings by having the

whole of the money advanced to them, I would point out that a most important consideration has been omitted. On the whole, the Irish tenant is less liberally treated than the purchaser under this Bill. It is true that the whole of the purchase money is advanced in the case of the Irish tenant; but what is it advanced for? It is for that part of the farm which is not already his own. It must be remembered that since the Land Act of 1881 the tenant's interest in his farm is probably equal to the interest of the landlord, so, although we advance all the money, there is twice the amount of property given as security. In the case of this Bill there is as security only the land itself, whilst in Ireland there is also the tenant's interest in the farm.

MR. MORTON: May I ask the right hon. Gentleman how it is that the Government have had to take possession of farms in Ireland because the instalments have not been paid?

MR. CHAPLIN: Only my right hon. Friend the Chief Secretary can answer with regard to particular cases. I have heard, however, of tenants being afraid to pay, and actually being prevented from paying and things of that kind. I cannot myself give the hon. Member a fuller answer, but the fact remains that in Ireland there is double the security as compared with England and Scotland. With regard to what has been said about the capital required to stock these small farms, I think that it is probably an exaggeration to say that £10 an acre would be necessary. I consider that there ought to be some security to the ratepayers; and, therefore, so far as the proposal to abandon the money payment down by a purchaser is concerned, I must offer it uncompromising opposition.

MR. ESSLEMONT: What is wanted is to make the operation as easy as possible for those persons who require holdings, and to give them a fair chance of carrying them on with success. There can be no doubt whatever that in Scotland, if a fourth part of the price has to be paid down, the Government would exclude from the advantages of the Bill those whom it is intended to benefit. With all respect to the right hon. Gentleman, I do not think that it

*Mr. Thorburn*

is necessary to call upon the tenants to pay a fourth part down; and if this section is retained, those who want to acquire these holdings will not be able to do so.

MR. STOREY: There are some Members in this quarter of the House who are obliged to the right hon. Gentleman for the care he has shown in the interests of the ratepayers. I want to know where the security for the ratepayers appears in this Amendment? I hope the right hon. Gentleman will adhere to his resolution to safeguard their interests. We, as Radicals, have had to remonstrate against the Government passing measures which a Radical Government would not pass for England and Wales. The cases, it is said, are not quite the same, because in Ireland there is more security; but I invite hon. Members to remember that, when the Government at first proposed to make advances to the people of Ireland, it was a proposal to advance a portion of the money only. Then the proposal grew, and, influenced by the pressure of Irish Members, the Government came ultimately with a proposal to advance the whole of the purchase money. By a succession of measures was this done, and for this we owe a Conservative Government little thanks. I feel that the operation will be the same under this Bill. The Government are, we assume, going to pass this measure now, advancing three-fourths of the money only; but does not the right hon. Gentleman see on this side of the House the revolutionary elements which by-and-bye will compel his successor to propose the advance of the whole of the money? I see these indications; and it is because I foresee them now, as I foresaw them in the case of Ireland, that I take the liberty of protesting against this method of using public money. Therefore I thank the right hon. Gentleman for the security he is inserting in the Bill; but I submit that it is not at all sufficient. Speaking for the county of Durham, I do not think the Bill will be much used, and I do not quite see why the miners, the capitalists, the manufacturing and trading classes, and those who go to make up the population of Durham,

should find this public money without some return. I know how far this argument would carry me if developed, but the proposal now is that the security shall be abolished; and I contend that not only should we retain the security, but we should have some return to the body politic in exchange for the credit we are lending to these persons. I am not going to vote for the Amendment, but I am not supporting the Government in this. I am giving effect to my own opinions. I am not in favour of this Bill, and never have been in favour of it. I am told that we must not say too much against it because it would be bad electioneering. That is a very valid reason for saying little; but, so far as I am concerned, I am not afraid to say, here and in my own constituency, that this is a bad method of dealing with public money, and that I think the object you have in view is not being carried out in the general interest. Therefore I cannot vote for the Amendment, and have to choose between the Amendment, which would make the Bill more effectual at the ratepayers' expense, and the proposal of the Government to make it less effectual with more security to the ratepayers at large, and so I am driven into the same Lobby with the Government.

(6.40.) MR. SHAW LEFEVRE (Bradford, Central): Looking at the question from the point of view of security, and whether a County Council might be justified in lending the whole of the money, my belief is that if we adopted the Amendment now its effect would be that County Councils, as a rule, would be so afraid of the security that, practically, there would be no transactions under the Bill. I quite agree with the right hon. Gentleman that there is no analogy between this Bill and the advances under the Act of last year. It is possible to advance all the money under the Irish Land Purchase Act, first, because you have the security of the tenant's interest, which in the great majority of cases is almost equal in amount to the landlord's interest; and, in the second place, you are able to buy land in Ireland at eighteen or twenty years' purchase, whereas in England you must pay thirty—or twenty-five years at the

very least. On the whole, I am unable to support the proposal to advance the whole of the purchase money; but whether some further relief can be given at a later stage is a question for consideration hereafter. I conceive that the effect of the proposition that the whole of the purchase money shall be advanced will so lower the security as to prevent County Councils from taking action.

(6.42.) MR. JESSE COLLINGS: I appeal to my hon. Friend to withdraw his Amendment, which, I feel sure, will not conduce to the progress and smooth working of the Bill. We have heard a good deal about the advances made to Irish tenants, but there is a clear distinction between their case and the case under this Bill. Under the Irish Act we had to deal for the most part with the selling tenant—with the man in possession; and that very sensitive person, the ratepayer, did not come into the transaction, the advances being made from the National Fund from the Exchequer in the case of Ireland. Here we ask a body elected by the ratepayers, who have the responsibility of administering the ratepayers' money, to buy land without any security whatever against loss. It has been said that the first instalment is security, but it is not sufficient security against the loss that may follow an ill-judged attempt of a man to farm a small holding to his own loss and the ruin of the land. There must be the protection to the ratepayers for the necessary good working of the Bill of some sum—not a large sum—but some amount advanced by the would-be purchaser, sufficient to show his *bona fides*. Without such a protection to the ratepayers, I feel quite sure that in the rural districts of England ratepayers will make this an Election question if they are likely to sustain such losses, and they will exact pledges from County Council candidates. We want to bring the ratepayers into sympathy with the Bill and with its operation, and this we can do if we can show them that only a reasonable risk can in any case be run. In the interest of the good working of the Bill, I hope the hon. Member will withdraw the Amendment, because I understand the right hon. Gentleman will be ready to consider the question

of allowing this amount of a quarter of the purchase money to be somewhat reduced, making the terms easier for the purchaser, while requiring him to give some security for his *bona fides*.

(6.45.) MR. MUNRO FERGUSON (Leith, &c.): The question for decision is the terms upon which it will be safe for the County Council to carry out the principle of the Bill. We are asked to choose between giving responsibility to the County Council or declaring that the County Council is not fit to be entrusted with the power of making a bargain giving sufficient protection to the ratepayers. For my part, I can see no objection to the County Council having liberty to make such arrangements as they choose for the security of the ratepayers against loss. The Bill proposes to make it obligatory upon the new owners to pay a certain proportion of the purchase money, but I think a County Council may very well be trusted to take the necessary precautions on behalf of the ratepayers, whose representatives they are. Even if any ground for taking such a precaution as this existed the putting it in the Bill will greatly tend to make the Bill inoperative. In Scotland I do not think that a very large amount per acre will be required to start a small holding, certainly not in the northern part of the country; but if you insist on this fourth of the purchase money being paid down, I am afraid little good will come of the Bill so far as Scotland is concerned. It will amount to taking from the purchaser just that amount he requires to start himself in his new undertaking to become a proprietor. If the Amendment is withdrawn I hope the next Amendment, in the name of the hon. Member for Haddington (Mr. Haldane), will take its place.

\*(6.47.) MR. T. W. RUSSELL (Tyrone, S.): I quite agree there is no analogy between cases under this Bill and under the Irish Land Purchase Acts, but it should be remembered we had two Irish Acts under which the tenant had to find a fourth of the purchase money, and both these Acts were inoperative and little better than dead letters. The Acts of 1870 and of 1881 were dead letters, so far as the purchase clauses were

concerned, solely because the fourth of the purchase money was required. It was not until the whole of the purchase money was advanced by the State under the Act of 1885 that any success in the direction of purchase by tenants was attained.

\*(6.48.) MR. MORTON: I quite admit that to some extent—and to a large extent—the Irish tenant has a value in his holding; but there are a good many cases, as shown by the Returns presented last year, in which the Irish tenants could have had no value whatever, because the Government have had to take possession and re-sell at a loss. Whether we decide upon this or upon the next Amendment does not concern me; but I do say that the hon. Member (Mr. T. W. Russell) who has just sat down proves the case for the Amendment, for he says the system was unsuccessful in Ireland until the State advanced the whole of the purchase money. The hon. Member for Sunderland (Mr. Storey) has mentioned electioneering tactics, and I should like to ask whether this Bill is not an electioneering Bill? I can assure the right hon. Gentleman (Mr. Chaplin) that unless he makes this Bill a *bona fide* useful Bill it will be of no use to him in the coming Election.

THE CHAIRMAN: The hon. Member is going beyond the scope of the Amendment before the Committee.

\*MR. MORTON: I will endeavour to keep more closely to the Amendment before us.

(6.49.) MR. CHAPLIN rose in his place, and claimed to move, "That the Question be now put."

Question put, "That the Question be now put."

(6.52.) The Committee divided:—Ayes 259; Noes 86.—(Div. List, No. 119.)

Question put accordingly.

(7.5.) The Committee divided:—Ayes 94; Noes 229.—(Div. List, No. 120.)

It being twenty minutes after Seven of the clock, the Chairman left the Chair to make his report to the House at Nine of the clock.

## EVENING SITTING.

Committee report Progress; to sit again upon Thursday.

## MOTIONS.

## CROFTERS' HOLDINGS (SCOTLAND) ACT.

## RESOLUTION.

(9.2.) MR. CALDWELL (Glasgow, St. Rollox): Having regard to the limited time available for the discussion of the Resolution which stands in my name, and knowing that a number of crofter Representatives desire to speak upon the subject, I will be brief in my explanation of the nature and scope of the Motion it is now my privilege to move. The Resolution does not attempt to deal with the whole of the crofter grievances which have arisen under the operation of the Act; it relates only to those of more public and general importance in regard to which Parliament may fairly be asked to express an opinion. In the first place, the Resolution declares that the benefits of the Crofters Act should be extended to small leaseholders. Prior to the passing of the Act the only way in which an enterprising crofter who desired to improve his holding could protect himself was by obtaining a lease when it was possible for him to do so. But even this protection was limited in its operation. Although he might greatly improve his holding from the time the lease was granted, yet at the end of the lease those improvements made by the tenant became by the operation of the law the property of the landlord, and in the generality of cases without any compensation to the tenant; and on a renewal of the lease the landlord had the power to exact an increased rent in respect to the very improvements of the tenant. But such was the operation of the law, and the small leaseholder had to choose between expatriation or acceptance of the landlord's conditions, amounting practically to confiscation. Apart from this question of confiscation, the leaseholders who may be said to be the most enterprising section of crofters and whose object was to make the best of the holdings they had taken, have by the Act been placed in a position very much inferior to the ordinary crofter. The ordinary



crofter has acquired by the Act a recognition of his improvements; he is secured in his tenure, and is not liable, like the leaseholder, to have his rent raised at a future time in respect to his own improvements. It is not necessary to urge this matter upon the attention of the present Government. The principle of the admission of the leaseholder to equal benefit from land legislation with the non-leaseholder has been recognised already by this Parliament in the case of Irish tenants, and this Resolution is well within the limits of Irish land legislation on the same subject. Leaseholders are described in the terms of my Resolution as "small" leaseholders, and in the term I include leaseholders whose annual rent is not over £30, and the period of whose lease is 21 years or under. The application of the Resolution is not to Scotland generally, but only to the crofter counties—counties where the soil is poorer and the climate worse, and the conditions of agriculture more unfavourable than in most of the districts of Ireland which have received the benefits of similar legislation. Therefore, I do not anticipate that there will be any objection from the Government to the first part of my proposal. The second demand I make is that all the improvements made by the tenant or by his predecessors in the same family and not paid for by the landlord shall be expressly exempted from the payment of rent. This was indeed the scope and intention of the Crofters Act; but in practice it has not been given effect to, and hence arises the necessity for expressed recognition and enactment. Upon this point I am relieved from taking up the time of the House at any length with argument, for I find from the Amendment given notice of by an hon. Member on the other side of the House (Mr. Shaw Stewart), and which no doubt represents the view of hon. Gentlemen opposite, that the House is to be asked to declare its opinion that all improvements made by a crofter or by his predecessors in title—a wider declaration than mine, which has relation only to predecessors in the same family—should be fully protected. I may take it, therefore, that the second part of my Resolution meets with approval from both sides of the House.

*Mr. Caldwell*

Thirdly, I invite the House to declare that the Commissioners should be empowered to enlarge present holdings, and create new holdings, an inquiry being instituted to ascertain the amount of land available and suitable for that purpose. By this it is intended to give fixity of tenure to the crofter, and to enable him to live on his croft. It is obvious that the retention of the crofter on the soil can only be a benefit to himself and the community when he has land sufficient for his industry and enabling him to maintain his family. To pinch and circumscribe his holding is but to perpetuate that poverty which it was the object of the Crofters Act to remove. The enlargement of crofter holdings is a most important consideration; but the Act has so surrounded these extensions with restrictions and qualifications that, as the Commissioners specially reported in 1888, very few applications for extension are made, and the Commissioners find many difficulties in the way of granting such applications. The smallness of the existing crofter holdings has been the source of much complaint in the Highlands; it is a widespread grievance. But, again, most fortunately, the tendency of Parliament and the country has been steadily advancing in the direction of measures for keeping the occupier on the soil. Not to speak of the Land Purchase Act for Ireland, the very Bill which has engaged our attention in Committee to-day, the Small Agricultural Holdings Bill, shows the direction in which public opinion is moving, and the desire that is springing up in all parts of the country for the creation and extension of small holdings which shall be sufficient to employ the whole industry and knowledge of the cultivator. When speaking of an inquiry into the amount of land suitable and available for the erection or extension of holdings, I do not contemplate the limitation of the inquiry to the amount of arable land available. Hill pasture and grazings are necessary appendages to crofter holdings, and milk farming is an important element for the sustenance and up-bringing of a crofter family. Grazing land is then a necessity. The advisability of extending the system of small holdings seems to be universally admitted in the House, and the only real point in dispute is



whether their creation should be left to voluntary arrangement, or should be brought about compulsorily. Anyone conversant with the state of matters in the Highlands must feel how necessary is compulsion to effect the desired end in the crofter counties. The amendment to be moved from the other side of the House suggests that land purchase is the true remedy; but I would only observe that there is no use in purchasing a holding and permanently settling a man on the land where the croft is obviously too small for the occupier to earn a living. We must first obtain reasonable-sized holdings before we speak of land purchase. To talk of land purchase now as the solution of this question is simply to delay reform. The land purchase suggested is obviously purchase by voluntary arrangement, and not under compulsory powers of purchase; and everyone who knows anything of the condition of things in the Highlands knows how utterly impracticable a system of voluntary purchase there is. With this explanation, I beg to move the Motion standing in my name.

(9.15.) DR. CLARK (Caithness): With great pleasure I second the Motion. Before I address myself to the proposals contained in the Resolution, I may be allowed to say a word or two on the operation of the Act in the Highlands. We have now had the Act in operation for five years, and I think we are able to form a fair opinion of the effect it has had and will have in the future in the Highlands. I hold in my hand a table showing all the decisions given by the Crofter Commission in the last five years, and, if time permitted, I should like to read it to the House. But I take only my own county, Caithness. In the first year 250 cases were determined by the Commissioners, and the average reduction of rent was 40·9 per cent. In the same year the cancelling of arrears was 70·9 per cent. In the second year the reductions of rent amounted to 51 per cent. and the reduction of arrears 74 per cent. I will not trouble the House with the figures for the whole five years; these, I think, will be sufficient to show that our contention that there was severe rack-renting in the Highlands, equal to that in Ireland, is fully borne out by the facts.

The percentage of rack-renting in the Highlands was much higher than in Ireland. During the five years and three or four months the Commission has been sitting it has determined 11,739 cases. The old rents amounted to £59,000, the fair rents fixed to £41,000, a reduction of 30 per cent. over all the cases. If we deduct the case of the Duke of Sutherland, who applied to the Court to have his fair rents fixed—he, I suppose, desiring it for the sake of his reputation as a landlord—deducting these cases, the average is very much greater. Even the 30 per cent. is higher than in Ireland, where I think the average reduction has been 23 or 24 per cent. In the same period 66 per cent. of arrears were cancelled. Arrears were determined in 11,700 cases, and the amount £149,000, of which amount £100,000 was cancelled. So far we may say the Act has operated very successfully, and the result demonstrates that our contention was right and that the First Lord of the Treasury, when he pledged his reputation as a politician that it would be found there was no rack-renting, but that only fair rents were exacted, was altogether mistaken. Our contention, which we did not press very much, was that there was worse rack-renting in the Highlands than in Ireland. Well, now we want the Act extended to two classes of crofters who are now excluded, and first of these I mention the sub-tenants. It was the intention of Parliament that these sub-tenants should come under the Act, and the Crofter Commission carried out that intention. But the Court of Session, going beyond its power, decided that these people were not crofters within the meaning of the Act. Why the Court of Session should have determined that I do not understand, because the Act debars them from giving such a decision, the 31st Clause declaring that in the event of any dispute arising as to whether a tenant is a crofter within the meaning of the Act it shall be within the jurisdiction of the Commissioners to determine such a question, and the decision of the Commissioners in regard to any matters committed to their determination shall be final. Notwithstanding this, however, the Court of Session interfered, and the Court and the Commission are now at

loggerheads. The Court of Session has interfered, the sub-tenants have been taken from the protection of the Act, have been evicted by the landlords, and there may be some trouble in Argyllshire. The Lord Advocate thinks the Court should determine; we say the Court went beyond its powers. I remember one case in point which occurred while the Irish Land Act was before the House. The hon. and learned Member for Longford (Mr. Timothy Healy) wanted to move an Amendment 'to protect the improvements of the tenant, but the right hon. Gentleman the Member for Midlothian (Mr. Gladstone) the then Prime Minister, said it was totally unnecessary, that the Bill did that, and that no Court would dream of arriving at any other conclusion. However, the Court in Ireland treated that clause as the Commissioners have treated similar clauses—the intention of Parliament has been set aside by the Courts. Another class we desire should be included is the leaseholders. In my own constituency the rents are being reduced by 50 per cent., and we have had cases of 60, 70, and 75 per cent. One case of £24 was reduced to £6, and on one large estate several hundred crofters got their rents reduced on an average by 50 per cent. The leaseholder, however, whose interest is much greater, is still paying unjust rent; and some of them, I am sorry to say, finding it impossible to live decently, and at the same time pay these rack rents, are leaving the country for America. Another class, of whom little has been said, is the cottars. They come under the Act, but I do not think there has been a single decision in regard to them since the Act came into operation. Their condition is a very hard one, and I think something really should be done for them. They are the men who, by agitation, helped us to get the Act. The cottar, who is probably an agricultural labourer, under this Act now owns his house, and I think if we are going to extend this principle as in Ireland we should be more logical and consider the case of the agriculturists. If we are to stand between the landlord and the tenant to prevent the evil of competition, we are equally called on to stand between the farmer and the cottar. We have in the past stated that there

*Dr. Clark*

has been terrible rack-renting, and the decisions of the Crofters' Commission prove that to be the case. I frankly admit, however, that if you were to give them their holdings for nothing you would not solve this question. The case of improvement is as in the Irish Land Act. We endeavoured to draft a clause, but as a matter of fact that portion of the Act has not been carried out at all. The result is that the crofter is paying 15s. and 18s. per acre for what used to be let to himself, his father, or his grandfather at 1s. or 2s. 6d. per acre. Some time ago I spoke to a valuer, who was a convener in my county, as to the case of a man whose holding, originally let for 5s., was afterwards increased to £6. We maintain that this advance was based solely on the man's improvements. The one vital requirement, and without which everything else is useless, is more land. In this connection I will take the three crofting counties—Inverness, Ross, and Sutherland. What are the facts? As far as Sutherland is concerned there have been 1,427 cases determined by the Commission, and the average fair rent fixed is £3 7s. 8d. In Ross during the five years there have been 3,605 cases determined, the average fair rent fixed being £2 9s. 10d. In Inverness, 3,582 cases, and an average fair rent of £3 0s. 10d. So that, taking these three counties, 8,694 cases have been determined, the average rent being £2 12s. 8d. per annum. Therefore, if you were to pass a no-rent manifesto you would simply be giving to these unfortunate men the equivalent of 1s. per week. All that can be done to improve their condition under the present circumstances has been done by the Government in giving security of tenure. They have not, however, got sufficient soil to produce a fair living, and the real question to solve is how to increase the size of the holdings. In the Act there are several pages, the purpose of which is to permit the Crofters' Commission to enlarge holdings. How many cases have come before it? In 1887 there was no case; in 1888, one case—a case which the Duke of Sutherland practically called in the Commissioners to determine—affecting 210 crofters. Next year the Commission got to Orkney, where there were six cases affecting 56.

crofters, and in which infinitesimal increases were made. In 1890 there was one case in Caithness, by which four crofters secured an increase of holding; and there was another case in Sutherland affecting 68 crofters. In Ross there were two cases, by which 17 crofters got a small increase of holding; in Inverness 13 got holdings; in Argyle, 10; and last year there were 14 more cases affecting 116 crofters. If we deduct the Sutherland cases, where the Duke simply got the Commissioners to go North to do the work, there have only been 100 cases in the rest of the six counties during these five and a quarter years. Thus the provisions have been perfectly useless as regards our object in seeking to give these men sufficient land on which to thrive. The point arises, Is there sufficient land for the people? I suppose Lewis will again be trotted out. A larger population now exist, there is any amount of arable land in the hands of the sheep farmers and graziers, and it is curious to note that since the Commission sat about 600,000 acres more have been added to the deer forests. I contend that if that land had been given to the crofters their position would have been very much better. Our contention is that the subject is a debatable one, and that we ought to have information. It is time the question was determined, and my friend proposes a solution, by means of some kind of Commission of Inquiry, to determine how much of the land can be used. I have for 30 years watched the land, and what I remember as green fields is now covered with bracken and heather, and looks as much like heath as unclaimed land. Year after year all the green spots are disappearing, and where thousands of pounds have been spent by the Duke in improvements, the heather and bracken are coming in to take possession. The only people who can make and secure the improvement are the crofters themselves. I have much pleasure in seconding the Motion of my hon. Friend, and I trust the Government will do something to further its object.

Motion made, and Question proposed,

"That, in the opinion of this House, the Crofters' Holdings (Scotland) Act ought to be extended and amended in the following respects—namely: that the provisions of the

Act be extended to small leaseholders; that all improvements made by the tenant, or his predecessors in the same family, and not paid for by the landlord, be expressly exempted from the payment of rent; that adequate powers be given to the Commissioners to enlarge present holdings, and to create new holdings; and that to this end an inquiry be instituted with the view of ascertaining authoritatively the amount of land suitable and available for that purpose."—(Mr. Caldwell.)

\*(9.40.) MR. SHAW - STEWART (Renfrew, E.): The scope of the Motion before the House I venture to think amply warrants a Lowland Member taking part in this debate. But beyond that I think I might bring forward the fact that any thing that affects any part of Scotland must be of interest to any Scotchman, whether he lives in the Highlands or in the Lowlands; and perhaps a Scotch Member who is not directly interested in the ownership or tenancy of Highland lands may take a somewhat impartial view of this important question. I have on the Paper an Amendment to the Motion in the following terms, which I now beg to move:—

Leave out all after "That," and insert "while in the opinion of this House, it is important that all improvements made by a crofter or his predecessors in title should be fully protected, the main improvement in the system of land tenure in the Highlands is to be sought in the extension of the principle of land purchase to that part of the country."

Now, Sir, the Motion of the hon. Member for St. Rollox (Mr. Caldwell) deals with three points—the leaseholders, the question of improvements, and the question of the enlargement of holdings and the establishment of new ones. In dealing, first, with the question of leaseholders it is almost imperative that the House should remember the history of the subject as connected with the Crofters Act of 1886. I have diligently read the reports of the debates during the time of the passage of that Act when the right hon. Gentleman, the Member for Clackmannan (Mr. J. B. Balfour) was Lord Advocate, and I find that acting in that capacity he studiously and strenuously resisted the inclusion of leaseholders in the Act. The distinction between a crofter and a leaseholder is very plainly set forth in that Act, and to differentiate the leaseholder from the crofter, I can use no better words than those employed by the hon. Member for North-East Lanark (Mr. Crawford), who, during the debate on



the Bill of 1886, said: "Speaking roughly and generally, a tenure under a lease is a sign that the man is not a crofter." This Act, being intended to benefit crofters, naturally excluded leaseholders. In the words of the right hon. Gentleman the Member for Clackmannan—

"The man who has made his bargain is clearly out of the historical scope of the Bill."

Subsequently, in 1888, the right hon. Gentleman the Member for Clackmannan took up a different attitude with regard to the leaseholders, on the ground of a changed condition of things owing to another Government having admitted leaseholders in Ireland in 1887 to the benefits of the Irish Land Act. For my own part I do not think the analogy is good, and I believe it would be difficult for the right hon. Gentleman to show clearly that the case of the leaseholders in Ireland was on all fours with that of the leaseholders in the Highlands who seek to be admitted to the benefits of this Act. The Crofters Act was mainly brought in to deal with a phase of circumstances which had arisen through a course of historical events peculiar to the Highlands, whereas the Irish Land Bill of 1881 did not deal with any special case in any part of Ireland, but with the whole system of land tenure in that country; and, therefore, to compare the Irish Land Act of 1881 with any Bill affecting Scotland you would have to take into consideration a Bill dealing with the whole land tenure of Scotland. Then as to the question of the enlargement of the holdings. The hon. Member who last spoke (Dr. Clark) dwelt upon this point to some extent, but he did not say how it was proposed to amend the Bill in this respect. Now, Sir, I think we ought to be told how hon. Members opposite would propose to extend the Crofters Act so as to make it deal more largely and extensively with the enlargement of holdings. Are they prepared to withdraw the restrictions laid down in Section 13 of the Crofters Act, and which, I maintain, are in the interest of the crofting community as a whole? One of these restrictions is to the effect that it shall not be competent for the Crofters Commission to assign land for

the enlargement of a holding if it forms part of an existing farm or other holding, unless the rent or any letting value of it shall exceed £100. That was evidently put into the Bill in order to prevent the harm that could be done by reducing the already small farms. Well, I take that restriction as an example, and I maintain that all the others are intended to be framed in the interest of the crofting community as a whole. Although a few individuals might be benefited by sweeping away these restrictions, yet I believe that by doing so the large body of crofters would suffer. With regard to the question of improvements, I fully agree that a crofter ought not to be damaged by any improvements he has made. But I would ask hon. Members opposite whether they could devise any better plan to insure that than by laying down the plain direction, found in the Act, to the Crofter Commissioners—namely, that in fixing a fair rent they shall take into account any improvements that have been made by the crofter? In the course of a debate in 1891, the hon. Member for Sutherland (Mr. Angus Sutherland) said—"The great and burning question in the Highlands is not reduction of rents," which I think shows that the question of improvements does not press very heavily upon the crofting community, "but more land." That opens up an entirely new question, and one quite different from that of the enlargement of existing holdings. It opens up the question of new holdings altogether. Well, Sir, it is part of the policy of the Party to which I have the honour to belong to increase the number of holdings and the ownership of land, whether in England, Ireland, or Scotland. I could quote pages of sentences from speeches, both of the Prime Minister and the First Lord of the Treasury, to the effect that it is their earnest wish to bring about a closer union between the people and the land. The House, however, must guard against setting up new crofts, and thereby intensifying the evils which we have spent years in trying to mitigate by this very Act. That is a thing we must keep clearly in mind, and more particularly so considering the present condition of agri-

*Mr. Shaw-Stewart*

culture. Now, Sir, I come to the subject of my Amendment, and, I think, if we sought to improve the system of land tenure in the Highlands by the extension of the principle of Land Purchase, more would be accomplished than by an extension of the Crofters Act. I will put forward two reasons why I believe that is the better plan. In the first place, let us deal with the question of the new holdings, which the hon. Gentleman opposite laid such stress upon. A system of land purchase for the Highlands would, of course, have to be made applicable to the Highlands. I think we might take both the principle of the Land Purchase Bill in Ireland and the principle of the Small Holdings Bill now in Committee, and devise a purchase scheme for the Highlands, drawing its life from these two measures. Now, in dealing with new holdings, you are going quite outside the range of the Crofters Act, which does not pretend to deal with them. I submit, however, that by extending the provisions of the Small Holdings Act, with Amendments suitable to the conditions of life in the Highlands, we might find a way of setting up the new holdings. The second advantage of my Amendment is that it would deal with leaseholders. If the principles of the Irish Land Purchase Act were extended to the Highland leaseholders, they would gain two advantages over the Crofters Act. First of all, they would have a reduction of rent beginning at once, for under a similar purchase Act to that of Ireland the annual payments made would be less than the yearly rent. The second advantage, which, I think, must be patent to hon. Gentlemen opposite, is that they would have a fixity of tenure of a more valuable kind than that which they would obtain under the Crofters Act, because that Act only keeps it in the family, whereas under a system founded on the Irish Land Purchase Act it would be inalienably their own. Well, Sir, this would be exactly in harmony with the recommendations laid down by the Crofter Commission of 1884. They recommended that facilities for purchase should be given to crofters, and added that in their opinion the possession of real property ought to be a powerful agent in forming habits of industry and self-respect, and

would supply resources of rational enjoyment. I cordially re-echo that sentiment, and it is because I wish to see the aspirations for land ownership in the Highlands satisfied under conditions which will not increase a poverty-stricken peasant proprietary, nor interfere with the natural development on a large scale of the resources of the Highlands, and in the hope of bringing about a better state of things and a more prosperous community which will redound to the happiness of my country, that I have brought forward this Amendment, which I now beg to move.

(10.0.) COLONEL MALCOLM (Argyllshire): I have very great pleasure in seconding the Motion of my hon. Friend, and I think I may say that the hon. Member for St. Rollox (Mr. Caldwell) has not by any means made his meaning clear. He says he wishes the provisions of the Act to be extended to small leaseholders; then he wishes adequate powers to be given to the Commissioners to enlarge present holdings; and he also wants to create new holdings. Who are those new holdings for? He says nothing to give us any idea whether they are for the crofters or for the leaseholders. And then he wants an inquiry to find out authoritatively what land is suitable and available for the purpose. I should like to have some authoritative definition of what is suitable and available for this purpose, and I think until hon. Members opposite can give some reasons for their demand they have no right to ask us to vote for an inquiry.

Amendment proposed,

To leave out all the words after the word "That," in order to insert the words "while in the opinion of this House it is important that all improvements made by a crofter or his predecessors in title should be fully protected, the main improvements in the system of land tenure in the Highlands is to be sought in the extension of the principle of land purchase to that part of the country,"—(Mr. Shaw-Stewart.)

—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

\*(10.3.) MR. JOHN B. BALFOUR (Clackmannan): As the hon. Member for East Renfrew (Mr. Shaw-Stewart) has more than once referred to what I



said on two different occasions, first in carrying through the Crofters Act of 1886, and afterwards in the discussion in a subsequent year, it is only courteous to him and fair to the House that I should make a few remarks on this Resolution. He has accurately stated that in carrying that Bill through the House in 1886, we relied upon what may be termed a historical basis. The Bill was not intended and it was not represented as a measure which was intended to deal with what may be called the commercial tenant, that is a man who goes from one part of the country to another and takes land as a man might buy an article in any other commercial pursuit. It was intended to give legal sanction to rights which had existed by custom, but had partly been lost or become imperfect, and as we were dealing with customary tenure it was right and fitting that we should take care that the Act would not extend to different cases, such as that of the commercial tenant. It is quite true further that at that time there had been no recognition by Parliament of the propriety of reforming or altering the terms of contract leases, and I do not understand that the hon. Member for St. Rollox or his seconder propose in asking the House to affirm this Resolution that the House should commit itself to anything like a general reformation or alteration of contract leases or commercial leases throughout Scotland. This resolution refers to the Crofters Act; it is founded on that Act, and takes up and carries forward the principles of that Act. And I will give my hon. Friend two very good reasons for supporting this Resolution, and for what I said some years ago when, as he mentioned, he saw me sitting where he is glad to see me sitting now. One reason is that between the time when the Crofters Act was passed and the discussion two years after, the House had for the first time recognised the propriety of Parliament intervening to alter the arrangement under leases on a very much wider scale, and with very much wider effect than any that could be covered by the Crofters Act, and so it was very natural when there had been a Parliamentary recognition of that propriety, that it should seem to not a few of us not unreasonable that some of the

advantages which had been given to his Irish brother should be given to the Scotch crofter. That is one reason why I said what I did at the time, and why I repeat it now. Another reason is that it has been represented to me, and I believe it to be true, that in not a few cases the landlords in the crofting districts, when the Bill was going through Parliament, or before the Crofter Commission came to the locality, persuaded their crofter tenants to sign leases. Such cases may not have been very numerous, but I was told that they existed, and that when the inquiry arose as to whether a man was a crofter in the statutory sense or not, something was put forward which was or purported to be a lease. I do not suppose my hon. Friends desire to carry this Resolution beyond the kind of cases to which the Crofters Act applies, and in deciding now that the mere fact of a lease having been entered into should not deprive a man of the benefits of the Crofters Act if he otherwise fulfils the conditions laid down in the Act, Parliament would simply be carrying out the spirit of that Act and preventing the intention of that Act from being defeated in the manner which I have just indicated. Therefore I do not think it necessary to detain the House by saying anything more on the matter beyond that I adhere to the principles upon which the Act of 1886 was founded. That Act, as I have said, was founded on a historical basis, but now six years have elapsed, and we have something beside a historical basis to go upon. But there is another consideration. The Crofters Act of 1886 was certainly a novelty in legislation applicable to Scotland, and I do not think anyone would blame Parliament or those who were directly responsible for the measure, for desiring to legislate cautiously and carefully, and in such a way as would conduce to the general and prevalent acceptance of the measure by the community and to its practical success. We had at that time very little information on most important matters. We had, it is true, the Report of the Commission of 1884, and it was a valuable mine of information; but it was necessarily limited, because it did not cover the whole ground, and now the experience of six years of the

operation of the Act has added very largely to the information which Parliament has in its possession. In that connection, I would say that one point upon which we have fuller information now than we had then is as to the great prevalence of over-renting in the crofter districts. We had no evidence of that great prevalence in 1886. The Report of the Commission of 1884 rather led to the belief that it was a rare and exceptional circumstance, and no one could complain that the measure was founded on the only authentic information which the Government were able to place before Parliament on the subject. But now when we find, as the result of judicial inquiry, as far as that judicial inquiry has gone, that it has been thought right and just by the Commission to reduce by 30 per cent., and in many parts of the crofting districts by 50 per cent., the rents which had been exacted from the crofters, this information puts a different colour on the whole of this matter, and may well embolden Parliament to deal with it less experimentally than was previously done when there was less information in the possession of Parliament. I am not going to follow my hon. Friend through the whole of his argument, but he mentioned the question of the enlargement of holdings. There again we thought, and I believe with the general assent of Parliament and the country, that it was our duty to proceed cautiously with legislation; and the principle that actuated those who were responsible for the Crofters Act was, that while they were desirous of providing facilities for enlarging the holdings of the crofters, they must take care that in so doing they did not injure the prosperity and welfare of the crofter communities in other respects. That is one of the reasons why many safeguards were introduced into this Bill. One of these safeguards speaks of the general prosperity of the locality, for it might have been that unless there had been some safeguard we might, while adding to a croft or a group of crofts in any particular place by statutory machinery, have done an injury to the community as a whole, either by diminishing employment, or in some other way. The aim was to benefit the crofter community as a whole, and I

think the precautions we took were sound. But it does not follow from that, that upon a review of the operation of the Act, if it is proved that the restrictions and safeguards which Parliament thought necessary in 1886 can, to any extent, be dispensed with, or if it is proved that these safeguards have prevented the effectual application of the leading provisions of the Act, it would be unreasonable to re-consider the matter in the light of six years' experience. In point of fact, the number of extensions under this Act has been very small. Then the hon. Gentleman suggested what he considered an alternative. We are all agreed upon the importance of protecting the interests of the crofters, but if I wanted to be hypercritical I should object to his expression, predecessors in title. The expression we used was predecessors in the same family, because at the time the Act was passed the crofters had no legal title. If we had said predecessors in title, it would therefore have done the crofters no good. It is true the crofters have had the benefit of the Act for six years, and there may now have been some predecessors in title in a legal sense, but we prefer our own expression of predecessors in family. With respect to my hon. Friend's alternative, what I understand he proposes is that the main improvements in the system of land tenure shall be sought in the extension of the principle of land purchase to that part of the country. That opens a very large question indeed, and I am not going to enter upon it now. But what I do say is that whether my hon. Friend is right or whether he is wrong in looking to land purchase as the main source of improvement, that can be no possible reason for not improving existing legislation until we have got land purchase, if we ever are to get it. You should make the Crofters Act as effective as you can consistently with its leading principle, whether you may afterwards be tempted to proceed to another principle or not. But I do submit that the reference to land purchase can be no reason at all to put forward against the Resolution of my hon. Friend. We know that it is common to say that, because something else of a totally

different kind would bring about a better result, you should not improve what you have got until that comes up for consideration. I only wish to say that this mention of land purchase is rather seeking to put on the public generally or the taxpayer what, according to the aim of the Crofters Act, should have been done by a fair adjustment of the relations between landlord and tenant, and that is taking up a wholly different question. The aim of the Crofters Act was to say what were fair relations between the owner and occupier of the soil in these crofting communities. Undoubtedly that would be to put the burden upon totally different shoulders, and whether the general taxpayer would prefer that he should take over the adjustment of those relations is a question for him to consider when the proposal is made. In the meantime, we consider that any defects and shortcomings in the scheme of 1886 ought to be perfected, leaving over for the present the question of the adoption of another principle. My hon. Friend who seconded the Amendment did so in a rather interrogative form; rather on the ground that he did not quite understand what the Resolution meant. The hon. Member for Argyllshire (Colonel Malcolm) did not know what land suitable and advisable for the purpose was. I am afraid the hon. Member's reading does not extend to the Crofters Act of 1886, for in it he will find a whole chapter devoted to explaining and defining available lands, and I understand that my hon. Friend in the Resolution takes that definition in the latter part of his Resolution—

"An inquiry be instituted with the view of ascertaining authoritatively the amount of land suitable and available for that purpose."

I venture to think it is a reasonable proposal that you should find out how much land is available in a statutory sense or in an enlarged statutory sense, for these holdings; that is to say, not withdrawing land from more useful and profitable occupation by the inhabiting community, which was the test in the Crofters Act, but land defined in the terms of the Act; or such modification of them as experience may have dictated. Interpreting the Resolution in that sense, it appears to me to be in accordance with the spirit of those Acts; and I maintain, whether

*Mr. J. B. Balfour*

ultimately in Scotland generally or parts of Scotland, land purchase may or may not be introduced, there can be no reason for not making our present statutory system as perfect as we can, consistently with the principles on which it is founded.

(10.25.) THE LORD ADVOCATE. (Sir C. J. PEARSON, Edinburgh and St. Andrews Universities): I have listened with interest to the explanation which my right hon. and learned Friend has vouchsafed to the House of what undoubtedly, on his part, is an important change of position. There can be no doubt that, when the Act which we are discussing was introduced under the care and guardianship of the right hon. Gentleman, the justification of certain provisions which have been canvassed to-night was laid upon matter of principle; and in so far as it is laid upon matter of principle, it appears to me that the explanations given to-night do not meet the contentions of my hon. Friend behind me. It is said that the Act of 1886 was passed at a time when such legislation was, to some extent, a novelty, and it has also been said that one of the reasons for re-considering the matter was that the right hon. Gentleman has been informed since that there were certain cases in which the crofters had been persuaded by their respective landlords to accept leases. I should have thought, Sir, that that was a matter which the right hon. Gentleman had in his mind, and might very easily have provided against.

MR. J. B. BALFOUR: I said since.

\*SIR C. J. PEARSON: But I should have thought that was a matter that is either perfectly innocent—and in the right hon. Gentleman's statement of the case it seemed perfectly innocent—or else he makes charges against landowners of having done that in fraud of legislation, which shows a defect in legislation for which he is responsible, but which is not touched by the Resolution now under consideration. The right hon. Gentleman has given no explanation, satisfactory to my mind, of the fact that in supporting this Resolution he has departed in point of principle from what he laid down in introducing the legislation of 1886, because it stands on the records of the House that the

legislation then proposed was justified, and justified strenuously in face of opposition, by reference to the historical basis on which the matter rested and which is absolutely undisturbed by anything which has happened since. In the progress of the Act through the House, the question of extending its provisions to leaseholders was considered, and was rejected by the right hon. Gentleman. I do not wonder that he rejected it. He rejected it on two grounds, which are as sufficient now as they were then. He rejected it in the first place, because if you extended it to leaseholders there is no reason for stopping at the Highlands and Islands of Scotland in that extension; and, in the second place, because, according to the principle of the legislation he was submitting to the House, the commercial aspect of it was out of the question, and he was not proposing anything which would involve the touching of commercial bargains, but was proposing legislation founded entirely on the old alleged historic position of the crofters. I ask the House whether anything has been said against the reasons then given for limiting the Bill as it was limited, or in support of the Resolution of the hon. Member? Something has been said, in support of the first topic of the Resolution, by reference to the case of Ireland. I think, when closely examined, and after the change of front has been discounted, that is all which has been advanced in support of that part of the Resolution. This is not the first time that that argument has been used in this House on that very subject. The reply was made at the time—and is as effectual now as then—that the case of Ireland in this particular presents no analogy to the case of Scotland as settled by the Crofters Act. The Act—of 1887 I think it was—it is quite true, dealt with tenants in Ireland, but it dealt with the tenants of the whole country, and not merely with exceptional districts; and, in the second place, as I always understood, it dealt with the whole country with the object and purpose of putting an end to dual ownership. There was a period during which that could not be introduced all at once, and it was in reference to that interval that the legislation was passed with

reference to the Irish tenant, which has been referred to to-night as a reason why legislation of a permanent nature should be applied, in what I cannot think is an analogous case, to Scotland. The hon. Member for Caithness (Dr. Clark) seemed to think there were other classes of persons than leaseholders who ought to be included in the improved legislation; he mentioned, I think, the cases of cottars and sub-tenants. As far as the case of cottars is concerned, he seemed to think the Act had not had much application.

DR. CLARK: Not in one single case.

\*SIR C. J. PEARSON: Well, the inference I should draw from that is that the Act has either not been required in the case of cottars or that the conditions have been so satisfactory that there has been no occasion for an appeal to the Commissioners. The hon. Member says that sub-tenants were included in the Act—that they were intended by Parliament to be included in the Act. I would only remind him that while the Supreme Court of Scotland does not arrogate to itself any power to over-ride the Crofters Commission, or to review its decisions under the Act, that Court is quite within its power in deciding, in a competent proceeding, whether sub-tenants have been excluded. The intentions of the Legislature must be construed by a Court of Law according to the words used by the Legislature, and in so construing them I am not aware that the Act has been infringed in the least in the direction the hon. Member indicated. One word as to the second part of the Resolution—as to improvements. There can be no doubt from the words of the Act of 1886 that the Crofter Commissioners are bound—are expressly enjoined—to take into account the unexhausted improvements which existed on the land when fixing a fair rent. What difference is there between that, an instruction by Parliament to a judicial tribunal, and the proposal now put forward as if it were an ameliorative one? In one sense we can all agree with the hon. Member on the point; but my agreement with him is founded on the fact that the Act provides expressly for the very thing which he



desires to obtain. When the hon. Member for Caithness was on that part of the subject, what was it to which he pointed? How did he propose to demonstrate to the House of Commons that the instruction of Parliament to the Commissioners had not been technically carried out? He gave one instance only, an account of an interview he had had with a valuer.

DR. CLARK: It was a letter.

\*SIR C. J. PEARSON: He had a communication with a valuer, and it came to this: that in the opinion of that valuer one of the elements to be taken into consideration in fixing a fair rent was whether the land was in its own nature capable of improvement, and that that was credited to the owner. The improvability of the land is part of the value of the land. The question is, to whom ought that part of the value to be credited? If it is to accrue to the crofter, the hon. Member's language, translated into plain English, means that fair rent is to be fixed on prairie value. Then I ask, was that the meaning and intention of the right hon. Gentleman's legislation in 1886? Most of this discussion has dealt with the enlargement of holdings, and subsidiarily with the creation of new holdings. Well, Sir, I am at a loss to follow the figures which the hon. Member has submitted to the House on this subject. I have taken out some of the figures as accurately as I can, and I find that including Sutherland—you cannot get much benefit from the figures if you exclude one of the counties—the total figures, down to the end of 1891, show that the number of enlargements granted—a great many more have been considered—has been 32. I do not say that is a large number, but I think it is considerably more than the figures of the hon. Member. But then this enlargement of holdings affects a considerable number of individuals. The result is that it has taken effect in an extension of holdings in the case of 527 crofters. I do not say that that is all that might have been done, or all that was expected to be done. But I have listened with interest and expectation in order to hear in what respect those safeguards which the right hon. Gentleman himself put into his Bill in refer-

ence to the terms on which land should be taken for the enlargement of holdings, could be safely and appropriately limited or done away with. I have not heard of a single one of these safeguards upon which any Member laid his finger, and said, "That is too restrictive," or that it should be abolished. And I think if hon. Members will only read those safeguards as contained in one of the clauses of the Act, including even those that deal with deer forests, they will see that while these restrictions recognise the large and legitimate interest of the landowner where his land is to be taken away from him, in most cases also they are obviously for the interest of the crofters themselves, and of the crofter community in the immediate neighbourhood. Now, it is a serious thing to raise by Resolution, and without any attempt to enter into details, the question of abolishing or materially modifying these restrictions, which were found to be just and reasonable. At the same time it is true, as I have said, that the enlargement of holdings does not bulk largely. That may be owing to the poverty of the people, who have to satisfy the Commissioners that they could utilise the additional lands before they are meted out to them by the Commission. As to the assertion that the failure of that part of the Act to produce a large effect has been owing to the restrictions which were imposed, I have heard, at all events, nothing to-night to make me think that this is so, or that these restrictions are capable of very large modification with safety to the community which are most interested. As to the creation of new holdings, there again I come to the historical basis of the legislation. You abandon that altogether when you propose to give the same rights to those who have gone quite recently and who have settled down without being able to attach themselves to the old historical tenure. It seems to me you will be in danger of creating a fresh class of crofters, who in turn will require Acts for the enlargement of their holdings. That part of the Resolution, which was very little spoken to, and which was not much elaborated by the hon. Member who moved it or the hon. Members who have supported it, is one



which is entirely met by the proposal in the Amendment. The Amendment moved to this Resolution is one which the Government are quite prepared to accept; and it appears to me it is in that direction that the true solution of this problem is to be found. The Amendment safeguards the question of improvements. It recognises that it is proper that where a crofter is having a fair rent fixed he should have his own improvements withdrawn from the consideration of the fair rent which should be awarded. For the reasons which I have assigned the Resolution seems to me to be inadmissible, and the Amendment to suggest what will ultimately be found to be the true and safe policy.

\*(10.46.) MR. FRASER-MACKINTOSH (Inverness-shire): I think the people of the Highlands will be very much disappointed with the speech which we have just heard. All the arguments it contained were used six years ago. I am glad, however, that the late Lord Advocate has stood out boldly on this occasion and expressed himself in a distinct manner that the changes in the Act which were suggested by the Crofter Members in 1886 should now be carried out. The Motion of my hon. Friend the Member for the St. Rollox Division of Glasgow has my hearty support. When Lord Napier's Commission was investigating the grievances of the people of the Highlands in 1883 the question of the amount of rent did not come before us in an acute form. The great question that came before us was, according to the words of the people themselves, "more land," and that cry rose from every district, from every locality of the Highlands and Islands. Until more land is given to the people the Highland question will never be solved. The Lord Advocate has referred in his speech to the fact that nothing was said as to how extension of holdings was to be given and carried out. Perhaps I might be allowed to mention to the House a matter that came under my own observation within the last 14 days to show the necessity—I may say the absolute necessity—for increased holdings in many parts of the Highlands and Islands. I visited for the first time in a parish in the Island of Skye, in my own county, a township called Elgol.

It was a miserable place, cribbed, cabined, and confined, bordering upon the sea. There were 37 heads of families, including in all 200 souls. It was formerly, within the memory of people living in that place, only occupied by five heads of families, who lived there in comfort, a credit to themselves and to the people they belonged to. But by the operations of the former landlord whole townships were cleared off in other parts of the estate and crowded into this place. A great deal of sickness prevailed there some years ago; fever spread in it; nurses had to go there from Edinburgh, and a number of people died. Why should not these people be provided for when I may say there are hundreds of acres of land lying waste in the hands of the proprietor of this very estate, without any stock upon it or being devoted to any good purpose whatever? The above case has come under my own observation; and there are hundreds of them all over the Highlands and Islands in the same position. One word as regards the class called "cottars," who may be described as holding a worse position than the labourers in England. From a property in South Uist a petition was sent to me, signed by 30 heads of families, making the most grievous complaints of the way in which they have been treated under the Crofters Act. Formerly these poor people were allowed to take land for a certain time for a certain purpose; now, owing to the restrictions under the Crofters Act, if a crofter allows a cottar for a few months a bit of land even for raising potatoes, there is a danger, under the Crofters Act, of his tenure being destroyed. I was very glad to hear the speech of the late Lord Advocate this evening. But I must say that if three-fourths of his Bill had been omitted and struck out altogether, it would have been an excellent Bill. As to the Amendment that has been moved by the hon. Gentleman opposite, I am very glad in one sense to hear it; but it is not a proper answer to the demand that is now before us. That there should be an increase of the small proprietary all over Scotland is a suggestion that I am very much in favour of, and if the hon. Gentleman will bring forward a

Motion to that effect I will be most happy to support it; but in the meantime, as I do not consider his Amendment to be a fair or legitimate answer to the Motion of my hon. Friend the Member for the St. Rollox Division, I must vote against it.

\*(10.55.) SIR G. O. TREVELYAN (Glasgow, Bridgeton): I must say that the announcement of the Lord Advocate has thrown a very new element into the Debate. At any rate, from this side of the House we cannot be charged with what we are usually charged with in this House—namely, bringing forward a sensational Motion compared with that which has been accepted by the Government. We keep ourselves entirely within the limits of the Act of Parliament, which has passed both Houses and has been tested for five years; and we ask the Government to amend it. But the Government meets us by supporting a Resolution, and a Resolution which has not been commended to the House by any detail, by any argument on principle, but a Resolution which opens up an immense field. That is to say, that a system of land purchase is the proper method to deal with the grievances of the Highlands. Now, upon that point I will only say this: that we will discuss that when we come to the right time, when it is brought forward by a responsible Government in the shape of a definite proposition. But at present all we say about it is this: that we do not accept it as an answer to the demands brought forward in the present Resolution, because these demands are demands upon the landlords of the Highlands. We ask that they should restore to the tenants that which Parliament—as I will show in a few moments—has proclaimed to be the tenants' right; and we do not wish to shift the burden from their shoulders to the shoulders of the general taxpayers, who include all the tenants, all the labourers, all the men of business in England, Scotland, Wales and Ireland alike. Now, the Lord Advocate says that no reasons—no adequate reasons—have been given for this Resolution. There are four clauses in the proposal of my hon. Friend. The last in order, but by far the most important, is that proposal which is at the bottom of the improvement of society

in the Highlands, which is the substance of the aspirations of the people, and is the enlargement of their holdings and the acquisition of more land. Now, this is no new question. It has already been approved in principle by Parliament. The principles by which Parliament expected to be able to carry out this great boon to the people of the Highlands are embodied in several pages of the Statute Book; but unfortunately, in this part even this most defective measure, the Crofters Act, was largely found to be defective. I shall venture to read two or three sentences from the speech in which the Crofters Act was introduced in 1886:—

"This is a Bill founded strictly on the historical and local circumstances of a very peculiar district. We do not want to make the crofter a possessor or a landed proprietor. He and his ancestors never have been landed proprietors or possessors; but they claim the right of grazing a certain number of sheep and cattle on the higher pastures on payment of a certain rent. Without that right neither he nor they could live; and we propose to put the genuine crofter with a genuine holding in possession of that right."

That was the intention of the Crofters Act—of one main part of the Crofters Act. But the Crofters Act has failed to carry out that intention for reasons into which I will not enter at this moment. These reasons are exposed to the public in the very able successive Reports of the Crofters Commission, and more especially in the special Report which on my urging the Government laid before the House in the year 1888. The aspiration of Parliament was that every genuine crofter should have his holding enlarged, if necessary, out of the land that is at present put to other uses. That was the aspiration of Parliament; and what has been the result? In the year 1891 there were 59 applicants from Argyllshire; none of them had their holdings enlarged. There were 244 applicants from Inverness-shire; no holdings were enlarged. There were 244 applicants from Ross and Cromarty; and not a single holding was enlarged. It was the same in all the rest of Scotland, and in the case only of 113 applicants in Sutherland were holdings enlarged. In 1890 there were 111 individuals in Sutherland who were benefited by the Act by having enlargements of their holdings; and over the whole of the rest

*Mr. Fraser Mackintosh*

of the Highlands only 44 individuals were benefited by the Act, so that in the course of these two years those who obtained moorland were only 22 on an average in each year, except in Sutherlandshire, out of 40,000 crofters in Scotland, of whom 25,000 come already under the scope of this Act. Now, what is the case of these poor people? They are people who have in past days been evicted from their holdings which Parliament by legislation has deliberately pronounced to be, in part at least, their property. There is one single proprietor who in old days removed altogether six whole townships, restricted the grazing of others, collected all the people who remained into the diminished area, and largely increased the rents of that area. That is a specimen case. I do not give the name—I do not give the place. It is an old story; but Parliament has now pronounced by the Crofters Act that the people who remained on the land—and equally those people who were turned off the land—had a very definite, tangible, moral, and what ought to have been, and is now, a legal part, in their own farms. Parliament is therefore absolutely bound to place these people in the position in which they were before they were deprived of that which by legislation Parliament has pronounced to be their right; but whether Parliament is justified or obliged to do so or not, at any rate it has announced that it thinks that it ought to do so, and this Resolution of my hon. Friend is for the purpose of making it affirm that the Act which it has passed is insufficient and ought to be amended. Now we come to another clause of this Resolution—the extension to the leaseholders. I listened very carefully to the speech of the Lord Advocate, and I could find no single argument of any sort or kind against that extension. He spoke of my right hon. and learned Friend (Mr. J. B. Balfour) not having been sufficiently careful to make his Land Act perfect all at once. I must say that I think it is greatly to the credit of my right hon. and learned Friend that the first draft of the Crofters Act was so very efficient, so very complete. What is the story of Ireland? First, there was the Land Bill of 1871, then the Land Bill of

1881; and it was not until there had been two great Land Bills that the matter culminated in the Land Bill of 1887, which gave to the leaseholder a part property in his farm. It is a very little thing that we should ask in this the second attempt at land legislation for Scotland that which this Government have done in the third attempt at land legislation for Ireland. If it is for the benefit of the crofter who is not a leaseholder, if it is his right to obtain this position, it is equally for the benefit of the crofter who is a leaseholder, and it is equally his right; and it is of the most enormous benefit that every part of the crofting population should be included in this Bill. It is for the benefit of the individual. I do not know that in any place in which I have travelled I ever saw anything more interesting than the change in the houses which were occupied upon the crofts after the crofters came into the secure tenure of their holdings. I have seen a little village, at the higher end of which there were a number of houses which were as good as the best cottages in the North of England; while at the other end were the ruins of poor hovels, which were as bad as the worst hovels that, I am sorry to say, I have seen in some parts of the West of Ireland. The old hovels were the buildings in which the crofters lived before they had security of tenure; the new cottages were the dwellings which they built after they had obtained security of tenure. There you have an indication of the advantage to the individual. But what an advantage it is to the community! Another thing I was told on all hands. We here at a distance have been very much perturbed, and I think greatly shocked, at the lawlessness of the Highlands. It was a fact that for several years, and during the best part of one Administration and the whole of another—these Administrations coming from different parties in this House—the Queen's writ did not run in a great part of the Highlands, and rents could not be collected, no serious attempt being even made to collect them. I was informed, when I was in the Highlands, that in those parts of the country to which the Commission had not gone there was the greatest difficulty in getting the rent—



in some cases even an impossibility; but when the Commission had once gone there, when they had dealt with the arrears in that sweeping way in which they did deal with them, when they had fixed a rent which the conscience of the people recognised to be a just rent as the law proclaimed it to be, then from that moment, and after that moment, the rents began to be freely and regularly paid. The immense benefit to the individual, and the immense benefit to the community, which would be granted by extending to the numerous leaseholders those benefits of fixity of tenure and fair rent which have worked such miracles on the populations who have come already within their sphere, requires to be answered by much more serious arguments than the not very convincing *tu quoque* which was levelled by the present Lord Advocate across the Table against my right hon. Friend. For my own part, I believe Parliament is quite prepared to lay down this doctrine—that every holding on which the tenant substantially creates the fixtures should come under the Act, even when that tenement and that farm is held on lease. The limit should be a limit of rent, and, if Parliament so chooses, a limit of locality. But within that locality, at any rate, and within that rent, the tenements ought to be brought within the beneficent operations of this most important Act where the permanent improvements are made by the tenant, and not by the landlord. And now, Sir, I am much obliged to the House for hearing me so attentively while I have gone through the main propositions of this Resolution. There is only one that remains, and that is the proposition that all improvements made by the tenant or his predecessor in the same family, and not paid for by the landlord, should be expressly exempted from the operations of rent. This part of the Resolution is, I conceive, framed to meet the anxious feeling that exists in the Highlands as to the universality of the obligation upon the Commissioners of taking into consideration the improvements which have been made by the crofter and his predecessor. It is very generally felt in the Highlands that the first clause of the sixth section in the Act directing the Commissioners to take

into consideration those improvements is not sufficiently strong, and has not been carried out with sufficient regularity. Whether that is the case or not, I do not know; but this I do know, that wherever I went I received memorials from the people of the district, and that those memorials invariably contained two prayers, whatever else they contained—first, that the land contiguous to the crofter's holding should be available for the enlargement of such holding; and, secondly, that all the improvements of the holding of the crofter should be attributable to the crofter occupant thereof, except to the extent to which the landlord might prove such improvements to have been executed or paid for by him. Now, those two petitions are the gist of what the Highland people wish and desire. They are entirely within the four corners of that great Bill which Parliament in its wisdom passed in 1886—a Bill, I will venture to say, which, in its operations—where its operations have been put into force—has been more successful and more thorough in procuring those things which Parliament wished than perhaps any other Bill which Parliament has passed. And it is to supplement this Bill, and not in any way to go beyond it, that we ask this House of Commons this evening to agree to the Amendment.

(11.13.) THE FIRST LORD OF THE TREASURY (Mr. A. J. BALFOUR, Manchester, E.): The right hon. Gentleman has, perhaps, a better title to speak on the merits of the Crofters Act than any other gentleman in this House, because, unless my memory fails me, he was the person who was the sponsor for the infant which he now so much eulogises. I am rather surprised that he finds that the Bill he introduced to Parliament now requires amendment. Of course, I admit that after six years' experience any Bill, drafted by whomsoever it may be, may well require re-consideration and amendment in detail, and I do not think that even the handiwork of the right hon. Gentleman may not require some re-consideration. But as I shall presently show, the alterations which he now desires to make in the Act strike at the very root and principle on which the Bill was originally framed, and are inconsistent with the

*Sir G. O. Trevelyan*

very fundamental considerations which he advanced to the House in defence of that Bill when he first brought it before us. I propose to deal briefly with the three points raised by the Amendment, and especially the defence of those three points as presented to our consideration to-night by the right hon. Gentleman. I shall take the last point he has brought before us first, that namely connected with the improvements of the crofters. On this subject, as has been quite truly remarked by more than one speaker, there is no disagreement in principle between the two sides of the House. We are all agreed that the crofter should have full right to the value of the improvements, and that his rent should be fixed after an ample estimate has been taken of the value of those improvements. And yet, says the right hon. Gentleman—

**"I am continually receiving memorials from all parts of the Highlands praying that these improvements may be properly valued."**

If they are not properly valued, it is either the fault of the Act, or it is the fault of the Commission. But as I do not believe it is the fault of the Commission—and I am sure it is not the fault of the Act—I cannot but believe that the memorials which the right hon. Gentleman has received err, as other memorials err, by being founded on an imperfect knowledge of the facts. What says the Act? The Act says that—

**"In fixing the rent the Crofter Commission shall hear the parties and shall fix the rent after considering all the circumstances of the case, the holding and the district, and particularly after taking into consideration any permanent or unexhausted improvements on the holding and suitable thereto which had been executed or paid for by the crofter or his predecessor in the same family."**

Now, Sir, these words are wide. The right hon. Gentleman apparently thinks they are imperfect. He has not told us, and the right hon. and learned Gentleman (Mr. J. B. Balfour) sitting next to him has not told us, in what respect they think they are deficient. Both have said that better provision should be made for dealing with the improvements of the crofter. They had the words of their own Act—I presume drafted by the right hon. and learned Gentleman (Mr. J. B. Balfour) and approved of by the right hon. Baronet (Sir G.

Trevelyan)—before them, words which appear to cover every conceivable case in which the crofters require compensation, and they have not condescended to inform the House in what particular these very wide words are deficient, in what possible manner any crofter whose case is justly adjudicated upon by the Crofter Commissioner can be damnified in respect of his improvements; and until the framers of the Act show us how it is deficient, what is the use of coming down and telling us that it ought to be amended? Can we conceive a less business-like transaction than telling us the crofters' improvements are not adequately safeguarded and yet not telling us in what particular the safeguards provided by the Act are deficient, and in what particular they ought to be amended? I agree with the principle laid down in the Act and repeated by the two right hon. Gentlemen and by the mover of the Resolution; but before it is worth while for the House to take into consideration what new statutory defence shall be provided for the crofters in this particular it surely is not too much to ask those who were originally responsible for the Act to tell us in what particulars they think that it falls short of the object for which they framed it. However, I do not propose to delay the House upon any subject upon which we are agreed, although I think in this particular matter the speeches of the right hon. Gentlemen savour rather of vague rhetoric than of business-like suggestion. I turn to what the right hon. Gentleman describes as the main part of the Motion, and what in fact is described as the part of the Motion which deals with the only portion of the Act in which any deficiency has been shown. I think that was an incorrect expression of the right hon. Gentleman, for the Bill also requires amendment on the subject of leaseholders. At all events, the view of the right hon. Gentleman is that that is the main deficiency in the Act, and, therefore, the main and most important clause in the Amendment of the hon. Member for St. Rollox is that which deals with the enlargement of leaseholds. It will be admitted that compulsorily to enlarge anybody's holding, be he crofter



or anybody else, at the expense of somebody else's holdings, is a very serious step to take, and one which Parliament will take if at all, only after providing every safeguard and precaution. I wish to know what are the safeguards and precautions in the original Crofters Act which the right hon. Gentlemen opposite wish to see either omitted or amended? In their interesting Report laid before the House, and dated 1887, the Crofters' Commission enumerated the reasons which, in their opinion, rendered the number of cases in which they could compulsorily enlarge the crofters' holdings fewer than they could desire. Those reasons were two. The Bill laid down that a holding may only be increased out of contiguous land which is either in the occupation of the landlord or is not on lease; and also that before the crofter can claim a compulsory enlargement of his holding, he should see that he has adequate money to work his existing farm. I wish to know which of those two reasons the right hon. Gentlemen opposite desire to see either abrogated or modified? Do they seriously think that the position of crofters is to be improved, not by increasing their farm by the process of addition from contiguous land, but by dealing with another farm in another district which they are to cultivate in addition to their present holding; and if they think neither of these two restrictions should be removed, do they think that the restriction as regards the means of cultivation should be removed? In other words, do they think it is a proper thing for this House to enact that land should be compulsorily taken away from a tenant who has money to cultivate the land, and handed over to a tenant who, by my hypothesis, has not? It appears to me, if I might venture to say so, that though we would all like to see small crofters' holdings enlarged, the difficulties could not be got over by any possibility through a simple modification of the Crofters Act. Poverty is the main reason why these holdings cannot be increased. The aggregation of poor tenants on a poor soil, in a poor climate—that is the reason why they cannot increase their holdings—and that is not a state of things which can be done away with by a simple Amend-

ment of the Crofters Act, whatever hon. Gentlemen, for electoral or other purposes, may say to the contrary. The right hon. Gentleman drew a pathetic picture as usual as to the crofters being removed in enormous numbers from their original holding on a certain great estate. Everyone who heard him must know that he referred to the Sutherland Estate.

SIR G. TREVELYAN dissented.

MR. A. J. BALFOUR: He must have done so. I know the Highlands as well as the right hon. Gentleman, and I never heard of any estate on which families have been removed on a large scale within the last two or three generations except the Sutherland Estate. On that estate, I boldly say, though it is not a popular doctrine in some parts of the House, the public spirit shown by the owners, whether mistakenly or not—I believe it was not mistaken—is deserving of the highest admiration. It is a matter of historic notoriety that they do not make money out of that estate, but that they spend money upon it, and that for generation after generation they have lavished funds drawn from other parts of the country in attempting, according to the best of their lights, to improve the position of their people. I am, perhaps, audacious enough to think that after the criticisms I have ventured to pass—I will not say upon the suggestions made by right hon. Gentlemen, but upon the pious opinions they have expressed—we shall not hear any more of any modification of the Crofters Act in the direction of giving additional powers for the extension of holdings. I therefore turn to that part of the Motion which deals with the inclusion of leaseholders. And here I confess I listened with immense surprise to the right hon. Gentleman. I could perfectly understand Members rising in other parts of the House and saying, "You have extended the Irish Land Act of 1881 to Irish leaseholders, why not extend the Crofters Act of 1886 to leaseholders in the crofter counties?" That is a very plausible argument, but it is not one which comes very well from the right hon. Gentlemen who framed the present Act, because they distinctly framed it on the ground that the crofters, holding from year to year by customary tenure,

have peculiar rights through that tenure not possessed by any other farmers in this island; the whole basis of their legislation was an historic basis. The whole ground on which they moved the Bill was that there is a customary tenure prevailing in the Highlands by which the crofters possess certain rights from which a few landlords here and there desire to drive them, and because they take that view of their own Bill they themselves resisted the very Amendment for which they are now going to vote. It appears to me, whether it is right or wrong to introduce leaseholders into the Bill, it is impossible for any man who sincerely believes in the original ground upon which this Act was introduced to suggest such an Amendment or to support it when suggested by others. First let us consider the analogy brought forward in regard to Ireland. The right hon. Gentleman the Member for Clackmannan (Mr. J. B. Balfour) has repeated to-night an argument he used on a former occasion. He said, both then and now—

“When the Bill was introduced I was prepared to resist this Amendment; but now a Conservative Government have extended to Irish leaseholders the privilege claimed for crofter leaseholders I am absolved from my principle, I am permitted to vote for that which I have formerly spoken against.”

I do not know whether the right hon. Gentleman used that argument as a *tu quoque* argument, a form of argument to which I have no objection; or whether he thought it absolved him *in foro conscientiae*. I can hardly believe that the right hon. Gentleman, in the silence of his own chamber, and reflecting over the Bill he himself has so laboriously drawn, was really satisfied in abandoning his own principles in regard to Scotland simply because it had occurred to him that he might attack the Unionist and Conservative Party for abandoning their principles with regard to Ireland. But what did this Irish analogy mean? In 1881 a Bill was passed, not for a portion of Ireland, but for the whole of Ireland; not for a few Irish tenants, but practically for all; not for tenants below a certain valuation, but for tenants whatever their valuation might be. From that Bill leaseholders were nominally excluded. How does that compare with the Crofters Bill?

The Crofters Bill did not apply even to the whole of the agricultural population, but only to an infinitesimally small portion of it; and in the very limited district in which it did apply it applied only to a very limited class of tenants—tenants who held land at a rent under £30. There is another distinction which appears to me to have escaped almost every hon. Gentleman who has argued on the subject. The right hon. and learned Gentleman who attacked the Unionist Party for extending the Act of 1881 to Irish leaseholders talked as if Irish leases had not been interfered with before that date. That was a profound mistake. The Act of 1881 not only interfered with Irish leases, but interfered with them in a fundamental way. The essence of a lease is that the landlord lets his land to a tenant on certain conditions for a certain period at a certain rent, and on the condition that at the end of the lease the land should be given back to him in the same condition in which it was originally let. Were Irish leases left uninterfered with? Why, that last condition, the most essential of all, was absolutely destroyed under the Act of 1881. It is true that the conditions as regards the cultivation of land were not interfered with; but it was provided that, when leases came to an end, the land should not be given to the landlord to be dealt with as he desired, but that the tenant who had the end of the lease should thenceforth be a tenant with all the rights under the Act of 1881, with fixity of tenure, and a right to have a fair rent fixed. Thus, under the Act of 1881, the greatest right of ownership the landlord had was deliberately taken away by the British Legislature, and the Act of 1887 did not so much deal with leases as with the small fragments of leases left by the legislation of six years earlier. The framers of the Crofters Act of 1886, the right hon. Gentleman the Member for Bridgeton and the right hon. and learned Member for Clackmannan, whom we have heard with so much pleasure and, I may add, with so much astonishment to-night, deliberately excluded leases altogether from the Act. They said, and said rightly I believe, in the language of the hon. Member for

East Lanark, that the tenant who holds under lease is *ipso facto* not to be included in the crofter class, as he is not a customary tenant and has not the historic basis of tenure which a crofter has. Under the Act of 1886 not only were leases not touched, in the sense that rents were touched, they were not touched at all. They were not touched in the sense that the Irish Act of 1881 left leases untouched; they were touched in no sense whatever, and the landlord at the end of these leases became the absolute owner of the land as in England he becomes the absolute possessor of the land when it is no longer held by the lessee. Do not hon. and right hon. Gentlemen see the enormous difference between the cases in Ireland and in Scotland? The argument is that there is some analogy existing in the case of Scotland to justify this extension of the Act of 1887 to Scotland, but there is no such analogy. Argue the question on its merits if you like, but there is no analogy. There was no suggestion in the case of the Irish Act of 1887 that we were for the first time interfering with contracts, whereas you are in this case, for the first time, proposing that contracts fairly entered into between landlord and tenant shall be set aside in the interest of one of two parties. The right hon. and learned Gentleman (Mr. J. B. Balfour) has alluded to certain cases which have come within his knowledge of leases having been entered into in the crofter counties, after the Act of 1886 was introduced, but before it became law.

MR. J. B. BALFOUR: Before the Commission went there.

MR. A. J. BALFOUR: I am quite sure he has not attempted to deceive the House, or in any way to exaggerate the cases as they have reached him. They are monstrous cases, and there is not a word of defence to be said on either side of the House for the man who deliberately used force for the purpose. If it can be shown that illegitimate pressure was exercised to take advantage of the hiatus between the introduction and the passing of the Act, by all means let us apply such remedies as the cases require. But the right hon. and learned Gentleman will admit such cases are few, and

stand outside the general scope of the proposition. How many other cases are there? They must be very few. I do not believe there is a crofter of the few who hold leases on the whole of the west coast of Scotland. I do not know whether any hon. Gentleman has heard of such. I have made inquiries, and I have heard of none. As we all know, the great mass of the crofter population is congested there; and if these leaseholders exist, they would be found there if anywhere. I do not believe they exist in great numbers. Even those most anxious for the Resolution will hardly maintain that there are any great number of persons to be found whose cases would be ameliorated if this provision in regard to the breaking of leases were carried out. What are we asked to do? For the sake of an occasional tenant scattered here or there in the more thinly-populated districts in the eastern parts of Scotland we are asked for the first time in the history of legislation in this country to introduce a provision for the breaking of contracts deliberately entered into between landlords and tenants. Is that a contingency the House contemplates with equanimity? Is that a form of legislation hon. Members seriously think will benefit the persons for whom it is intended? We are occupied four days in the week at present in the discussion of the Small Holdings Bill, and hon. Members opposite desire that the measure should tend to the creation of small tenants rather than small owners of land. They are anxious to see the number of small agricultural tenants increased. Do they think that if they interfere in this matter of leases, of contracts between landlords and tenants, that there is a single landlord in England, Wales, or Scotland who will be idiot enough ever to make a contract with a small tenant unless he is obliged? Do hon. Members not see that by this kind of interference they are rendering it impossible for any of those contracts to be made, which in their speeches on every day in the week, except Tuesday at 9 o'clock, they have led us to believe they desire to have carried out? Is it not madness to say to a landlord who has entered into a contract with these small tenants,

*Mr. A. J. Balfour*



"You have entered into these agreements, but we break them." Will any landlord enter into such a contract again? If under such circumstances a landlord should ask my advice, I should say, "Parliament has begun to take these matters into its own hands; leave them to Parliament to finish. Let Parliament undertake the whole administration of land." It would be foolish for a landlord to enter into a contract with a small tenant under such circumstances, because, however equitable the arrangement might be, he might find Parliament coming down and quashing the bargain, and making some other arbitrary proposal to which he had never been a party, and which, if he had foreseen, he would never have assented to. Is it not a monstrous suggestion that we should, for the sake of a fractional part of an insignificant section of the Scotch population—insignificant, I mean, in point of numbers; the leaseholders are but a fraction of the crofters, as the crofters are relatively insignificant in point of numbers to the population of the whole country—is it not monstrous to say that for this fraction of the population we should lay down a new principle of legislation the end of which you cannot foresee, which is based upon no settled ground whatever, having no plain object in view, apparently doctored to meet some particular electoral cry, not intended and not suited to benefit any large portion of the agricultural community in England or Scotland? If you once begin to break leases, I do not see where you are to stop, and why you should leave any contracts unbroken. I confess I do not see how the community which exists on contracts, and contracts alone, can hold together. These are considerations which demand serious attention. Do not let us to-night vote for an Abstract Resolution which cannot be carried into effect without the disastrous consequences I have ventured to foreshadow. Easy it is, very easy, to vote these Resolutions. They appear to carry with them no special responsibility, for, after all, they are vague and may mean nothing, they are vain and empty sounds until embodied in legislation. Unless you can see your way to legislation applying to all classes of the community—and you would shrink from any such general applica-

tion—it would be insane to pass such a Resolution on which such legislation is to be ultimately founded.

(11.50.) MR. CAMPBELL-BANNERMAN (Stirling, &c.): I am not going to make a speech, but I may be permitted to ask the right hon. Gentleman a question. We have not heard any announcement from the right hon. Gentleman as to the attitude he assumes towards the abstract Amendment to the Resolution moved by my hon. Friend the Member for Renfrew (Mr. Shaw Stewart), which was accepted in the name of the Government by the Lord Advocate. The Amendment suggests the alternative of land purchase applied to the crofter districts, and I think it is somewhat remarkable—it is due to oversight probably—that the right hon. Gentleman has not alluded to that Amendment accepted on his behalf by the Lord Advocate. I would ask the right hon. Gentleman does he endorse what was said by the Lord Advocate?

MR. A. J. BALFOUR: Hear, hear!

MR. CAMPBELL-BANNERMAN: And in that case whether the Government intend during the present Session to propose legislation for land purchase in the crofter districts of Scotland?

(11.52.) MR. ANGUS SUTHERLAND (Sutherland): I have no desire to intervene at any length. The right hon. Gentleman has been pleased to attribute to us the design of bringing this matter forward for electoral purposes. If we had had any such design it would have served its purpose in drawing from the right hon. Gentleman the speech he has just delivered. The right hon. Gentleman has twitted my right hon. Friend on the action he took in regard to the Act, and he has said that he approved the principle of the Act. But the right hon. Gentleman said on the second reading:—

"I give assent to the Second Reading with grave misgivings, and I will do my best in Committee to remove from the Bill as much as may be of the evils in it which I fear are ingrained in the very fabric and substance of the measure."

I am free to admit that so far as my knowledge goes the right hon. Gentleman did his best in Committee to remove those features to which he objected. I admire the spirit of the right hon. Gentleman very much—it had many

good qualities; but it lacks any quality that will find for it acceptance in the Highlands to which the Resolution applies. He made a great deal of the want of analogy to the case of the inclusion of Irish leaseholders, but I prefer to take his own ground and to take the proposal on its merits. On that ground we justify the proposal, for we find that through the operation of the Act an imaginary line is drawn, on the one side of which a man has his rent reduced from 30 to 50 per cent. with security of tenure; while on the other side an unfortunate crofter must continue to pay his old rack-rent merely because he happens to be a leaseholder. Such there are in my own constituency. A great deal has happened since 1886. Leaseholders in Ireland have been given fair rents and security of tenure. The arguments used to-night against the Resolution have been trotted out time after time, and I cannot withhold admiration from the courage of the right hon. Gentleman in bringing forward the high old Tory arguments which have been so repeatedly knocked down. I need not further refer to them. Meanwhile, what has become of the Amendment? It is, in my opinion, a far more revolutionary proposal to buy up the crofts than to extend the existing Act. It might be desirable under certain conditions, but now it would perpetuate the evils of which we complain. First, there must be a redistribution of the people on the soil, and after that we may consider a scheme of land purchase. That part of the Resolution which relates to an inquiry has not been much noticed. That clause has been put in because it has been asserted, though not this evening, that there is no land in the Highlands available for the purpose. This we deny, and so we ask for an inquiry and an authoritative declaration on that point. I heartily commend this very reasonable Resolution to the favourable consideration of the House.

Question put.

(11.55.) The House divided:—  
Ayes 113; Noes 152.—(Div. List,  
No. 121.)

Question proposed, "That those words be there added."

It being after Midnight the Debate stood adjourned till To-morrow.

*Mr. Angus Sutherland*

## CORN SALES.

### RE-APPOINTMENT OF SELECT COMMITTEE.

Motion made, and Question proposed,

"That the Select Committee be re-appointed to inquire and report upon the various weights and measures used for the sale of grain throughout the United Kingdom; the desirability of selling grain by weight only or by measure and weight, and, in the event of either being considered desirable, the extent to which either might be enforced; the desirability of the adoption of a uniform weight, either for the United Kingdom or any part of it; if a uniform weight is desirable, the standard to be adopted; and whether there should be one standard for all kinds of grain; and if not, what should be the standard for each kind."—  
(*Mr. Jasper More.*)

MR. SEXTON (Belfast, W.): This is a question in which Ireland is interested, but on looking over the names I find that only one Irish Member is nominated, and I do not know that he will be able to attend. I am not aware either whether the usual course has been followed in making the selection and to allow a little time for consideration. I object to proceeding with the appointment of the Committee now.

THE SECRETARY TO THE TREASURY (MR. AKERS DOUGLAS, Kent, St. Augustine's): The usual plan has been adopted in the selection of names, and in a Committee of 13 Members there is the usual proportion of Irish representation.

MR. SEXTON: I do not find that there is any Member connected with the interests of agriculture in Ireland.

MR. SPEAKER: The Motion for the appointment of the Committee is apart from the nominations to serve on the Committee.

MR. JASPER MORE (Shropshire, Ludlow): May I suggest to the hon. Member that he should allow the appointment of the Committee, and I shall be perfectly willing to comply with any wish expressed by Irish Members, and, indeed, am anxious that Irish interests should be represented. I hope he will not force his objection.

MR. SEXTON: I have no doubt of the good disposition of the hon. Member, but the interests of Ireland must be safeguarded.

Motion deferred till To-morrow.



## EDUCATION CODE, 1892.

\*SIR A. ROLLIT (Islington, S.): The Motion I have to make relates to the examination of teachers and pupil teachers, extending the number of opportunities for teaching and for examination. It is simply a recognition of the lectures, classes, and certificates of the University Extension System as a sufficient test, and I am glad to say the Vice President of the Council assents to the proposal as an improvement in the Code.

Motion made, and Question proposed,

"That an humble Address be presented to Her Majesty praying that the following be added to the Code of Regulations by the Lords of the Committee of Privy Council on Education, 1892, in page 39, column 5, at bottom of of column, add:—

8. Marks will also be given to candidates who shall present University Extension Certificates awarded by the University of Cambridge, the University of Oxford, or the Universities Joint Board, London, provided that the certificates shall have been obtained for a course of study in one subject, other than those mentioned in the Schedule or in Notes 5 and 6 thereof, which has been previously approved by the Department and is certified to have included attendance at not less than 24 weekly lectures and classes."—*(Sir Albert Rollit.)*

Motion agreed to.

To be presented by Privy Councillors.

SOLICITORS' APPRENTICES (IRELAND)  
(COMMISSIONERS' REPORT).

MR. SEXTON: I move for the Return in its amended form. I desired to have the evidence also, but I find the Treasury object to that on the score of expense. To the Report I understand there is no objection.

Copies ordered—

"Of the Reports of the Commissioners appointed by the Treasury to inquire into and report upon the matter at issue between the Irish Benchers and the Incorporated Law Society of Ireland regarding the allocation of part of the Stamp Duty on Indentures of Solicitors' Apprentices in Ireland."—*(Mr. Sexton.)*

## ORDERS OF THE DAY.

DUBLIN BARRACKS IMPROVEMENT  
(re-committed) BILL.—(No. 218.)

## COMMITTEE.

Order for Committee read.

MR. SEXTON: Can the hon. Gentleman give us any explanation of this?

THE FINANCIAL SECRETARY, WAR OFFICE (Mr. BRODRICK, Surrey, Guildford): The Bill was very carefully considered by a Committee upstairs. I do not know whether the hon. Member is aware that it deals with the matter of procedure for the arbitrator in reference to property to be taken. There was no opposition upstairs. Two Irish Members were on the Committee.

MR. SEXTON: Were the Members present?

MR. BRODRICK: One was. The hon. Member for North Longford was absent.

MR. SPEAKER: There is notice of an Instruction down on the Paper, which, if the Bill goes forward now, cannot be moved.

MR. SEXTON: That Motion is in the name of my hon. Friend the Member for Longford (Mr. T. M. Healy), who is not now able to attend in his place. The Bill is not so urgent, I think, that it cannot stand over for a day.

Committee deferred till Thursday.

SALMON AND FRESHWATER  
FISHERIES BILL.—(No. 258.)

## CONSIDERATION.

As amended, considered.

New Clause—

(Provisions subject to application of Act to Ireland.)

"In the application of this Act to Ireland the following provisions shall take effect:—

(1.) This Act, so far as is consistent with the tenor thereof, shall be read as one with the Fisheries (Ireland) Acts, 1842 to 1891;

(2.) The date "the first day of November," shall be substituted for the date "the third day of September;"

(3.) The powers of opening and detaining packages conferred by this Act shall be exercisable only by officers appointed for that purpose in writing by the Inspectors of Irish Fisheries;

(4.) Proceedings may be taken, in manner provided by this Act, against a person contravening any of its provisions,"—  
(*Mr. Barton.*)

Clause brought up, and read the first time.

Motion made, and Question proposed, "That the Clause be now read a second time."

SIR E. BIRKBECK (Norfolk, E.): I hope the hon. Member will not press this clause. The Bill deals with England only, and he knows that the Fishery Acts for England and Ireland differ and that the close time is different. If it should be desirable to apply such legislation to Ireland it should take the form of a separate Bill.

MR. BARTON (Armagh, Mid): The object the Bill has is one I think very desirable to carry out in Ireland, and the application could very well be made by the clause I suggest. If the hon. Baronet objects, I will not press it, but at the same time I do think the clause meets the case of Ireland, and I do not think there is any reason why it should not be inserted.

MR. SEXTON: The Amendment is of a somewhat complicated character, and I will not attempt to go into its merits, but until we have the advantage of the counsel of Irish members conversant with the subject, I think we had better postpone the Debate.

Debate adjourned till Thursday.

**ALLOTMENTS PROVISIONAL ORDER BILL.—(No. 308.)**

Read a second time, and committed.

**LAND DRAINAGE PROVISIONAL ORDER (MORTON FEN) BILL.—(No. 314.)**

Read a second time, and committed.

**LOCAL GOVERNMENT PROVISIONAL ORDERS (No. 4) BILL.—(No. 305.)**

Read a second time, and committed.

**LOCAL GOVERNMENT PROVISIONAL ORDERS (No. 5) BILL.—(No. 306.)**

Read a second time, and committed.

**BUILDING LANDS RATING AND PURCHASE BILL.—(No. 244.)**

Order for Second Reading [25th May] read, and discharged.

Bill withdrawn.

**WATERMEN'S AND LIGHTERMEN'S COMPANY BILL (NO. 144.)**

Read a second time, and committed to a Select Committee of Seven Members, Four to be nominated by the House and Three by the Committee of Selection.

Ordered, That all Petitions against the Bill presented three clear days before the meeting of the Committee be referred to the Committee; that the Petitioners praying to be heard by themselves, their Counsel, or Agents, be heard against the Bill, and Counsel heard in support of the Bill.

Ordered, That the Committee have power to send for persons, papers, and records.

Ordered, That Three be the quorum.—(*Mr. Wootton Isaacson.*)

**MILITARY LANDS CONSOLIDATION BILL.—(No. 184.)**

Order read, for resuming Adjourned Debate on Question [28th March], "That the Bill be committed to a Select Committee."

Question put, and agreed to.

Bill committed to a Select Committee.

**PUBLIC HEALTH ACTS AMENDMENT BILL.—(No. 224.)**

Read a second time, and committed for Friday.

**SALE OF INTOXICATING LIQUORS ON SUNDAYS BILL.—(No. 50.)**

Order for Second Reading to-morrow read, and discharged.

Bill withdrawn.

**MOTIONS.**

**PIER AND HARBOUR PROVISIONAL ORDERS (NO. 3) BILL.**

On Motion of Sir M. Hicks Beach, Bill to confirm certain Provisional Orders made by the Board of Trade, under "The General Pier and Harbour Act, 1861," relating to Killala, Stornoway, Sutherland, and Torquay, ordered to be brought in by Sir M. Hicks Beach and Sir J. Gorst.

Bill presented, and read first time. [Bill 335.]

**MUNICIPAL CORPORATIONS ACT (1882) AMENDMENT (NO. 2) BILL.**

On Motion of Mr. Brunner, Bill to amend "The Municipal Corporations Act, 1882," ordered to be brought in by Mr. Brunner, Mr. Neville, Mr. T. P. O'Connor, and Dr. Commins.

Bill presented, and read first time. [Bill 336.]

House adjourned at half after Twelve o'clock.

## HOUSE OF COMMONS,

*Wednesday, 11th May, 1892.*

Mr. SPEAKER was in his place shortly after Twelve o'clock, but not until twenty-five minutes before One o'clock, and after attention had been called to the number of Members present, was a quorum found.

## ORDERS OF THE DAY.

MUNICIPAL CORPORATIONS ACT (1882)  
AMENDMENT BILL.—(No. 35.)

## SECOND READING.

Order for Second Reading read.

\*(11.40.) MR. MATTINSON (Liverpool, Walton): I had hoped that the good sense and fairness of principle upon which the Bill is founded would have enabled the Second Reading to pass without any opposition. But I find notices of opposition have been given from more than one quarter, and therefore I must say a few words as to the object of the measure and the necessity for it. The object is to amend the Municipal Corporations Act in the direction of removing a difficulty—a serious difficulty I allow, but a senseless difficulty, and one founded on no principle in the way of the re-adjustment of municipal boundaries in cases where such re-adjustment is found to be necessary. I do not know what will be admitted in this Debate; but I think I may assume that it is vital to the principle of popular representation that there should be some approach to equality of voting power in the constituencies, whether in relation to Parliamentary or municipal representation. It follows that there ought to be some practical provision by which the inequalities in the voting power of constituencies which may from time to time arise may be cheaply and expeditiously remedied. It is matter of common knowledge that the centres of population are continually shifting, growing here and declining there; and it is obvious that arrangements for the division of representation which may

be perfectly fair in a town to-day may become unfair in ten years' time, and may, indeed, become a scandal, a mockery of popular institutions twenty years later. The House will scarcely credit how imperfect the provision in the present state of the law is in regard to the correction of the difficulties and anomalies that arise. I believe I am right in saying that the original Act of 1835 made no provision at all for dealing with the matter. It provided for the definition of the limits of a borough, and of the wards within the borough, but there it stopped, making no provision for the future revision; and for a considerable period after 1835, in cases where there was necessity for revision, there was no course open to a municipality but to come to Parliament with proposals for private legislation. In 1859, for the first time, Parliament proposed to apply a corrective, and in that year an Act was passed, which I think was substantially re-enacted in the Act of 1882, and constitutes the law which prevails at the present time. The legislation of 1859 and 1882 provides that upon petition the Queen in Council may make an order with regard to the re-arrangement of municipal wards, and subsequently, after local inquiry, issue an Order re-defining the wards. Unfortunately, and as I think probably by inadvertence, a difficulty has been created by the wording of this legislation, and two limitations imposed on the exercise of this power have combined to render the power given to the Queen in Council practically a dead letter. We propose in the Bill to deal with these limitations. Parliament enacted that no petition should be sent to the Queen in Council, unless and until it was signed by two-thirds of the members of the Town Council. That has been construed to mean not two-thirds of the members present on the occasion of passing a resolution for the petition. That meant a considerable clog on the action of a municipality. Worse than that, the view acted upon has been that in order to set the machinery of the Privy Council in motion it is necessary that the petition presented should be subscribed by two-thirds of the total

number of persons elected to the Town Council. Now, I think it goes without saying that the effect of such a provision has been to place a great power, a most unreasonable power, in the hands of a minority to prevent the question of a re-adjustment of wards being considered. It is not necessary for those who are determined, rightly or wrongly, to stick to some inequality in the division to take any active steps or incur the odium of public opinion; they have only to remain quiescent and refuse their assent to a petition. That is one and the main difficulties we propose to deal with in this Bill. But there is another difficulty which has grown out of, as I conceive, the unhappy wording of the Acts of 1859 and 1882. As the law stands, it is necessary, if there is any petition to the Privy Council at all, to petition for a change in the number of wards as well as in the boundaries of wards. Now, it often happens that there is local necessity for a change in the limits of a ward; but it rarely happens that there is necessity for changing the number of wards. This is a further difficulty put in the way of those who may desire reform. These are the two limitations which at the present time exist to the power vested in the Privy Council for the correction of anomalies, and I think the mere statement of these limitations should command sympathy with the desire for their removal. But I should like further to point out that not only is legislation in this matter theoretically defective—that appears on the face of it—but this legislation has practically worked in a way most detrimental to free play and free action being given to popular representation in municipal administration. I have here a number of facts compiled and founded on Returns made by Town Clerks in different boroughs. I will not weary the House by going through them all, but I will call attention to a few which I think will satisfy the House that throughout the municipal boroughs of England and Wales there is a vast mass of anomalies and irregularities which call for legislative attention. I find in Birkenhead there is one ward with 423 electors, and another ward quite close to it with 3,456 electors, the voting power in one ward being eight times

that of the other. In Brighton there is one ward, the Pavilion Ward, with 849 electors, and the St. Peter's Ward with 4,620; at Manchester a ward with 1,183 as against another with 5,993; and in Newcastle a ward with 869 electors, and another with 3,952, a proportion of five to one. In Sheffield I find there is one ward, Upper Hallam, with 503 electors, and another, Attercliffe, with 5,785—a proportion of ten to one. There is another case at Sheffield, St. Phillips, with 2,794 and Eccleshall with 11,961, each being represented in the Town Council by six members. Leaving these places, I should like to mention to the House the cases of three municipal boroughs, and in regard to which my connections give me some actual knowledge. Take the case of Carlisle. In that city there is one ward called St. Mary's Ward with about 270 electors, while there are two great working-class wards each of which has within a trifle of 3,000, the relation being ten to one. That is one case. Then there is the case of the town of Blackburn. I find here there is one ward, St. Mary's, with 713 voters, and there is the Park Ward with 5,218—a proportion of seven to one. And now I come finally to the case of Liverpool, which does not differ in principle from any one of the cases I have previously mentioned. So far as the principle of the inequality and injustice is concerned, the case of Liverpool is precisely the case of the other towns; but as regards the incidence of the injustice, the case of Liverpool is incomparably stronger. Will the House credit that in the City of Liverpool you have at the present moment this state of things. There is one ward, called Pitt Street, with about 710 electors, which returns three Councillors to the City Council, and you have another ward, Everton Ward, with an electorate of 23,145, which has only exactly the same representation and the same influence in regard to municipal government as the 710 electors of the minute ward of Pitt Street. But that is not all, because the gross and palpable injustice to which I have called the attention of the House runs all through the representation of the city; and it has this broad and general



result: In Liverpool there are 74,000 municipal electors, who are divided more or less unequally among 16 wards. Now, there are three wards—Everton, West Derby, and Toxteth—which among them have 44,000 out of the 74,000 electors, and yet those three wards, with that preponderating proportion of electors, only return to the City Councils nine members, while the remaining 30,000 burgesses, divided among 13 wards, return to the City Council 39 Councillors. Submitted in another way the result is this: that four-sevenths of the total electorate of Liverpool do not return one-fifth of the representatives, while three-sevenths return more than four-fifths. That is the case of Liverpool, and I make bold to say that if it stood alone it would constitute a sufficient case for the intervention of this House to correct such a travesty upon the system of popular representation. Let me say before I sit down what we propose in this Bill. We do not propose in any way to interfere with the authority which has finally to determine the question whether there ought to be any re-adjustment of municipal boundaries and what that re-adjustment ought to be; and I hope that fact will be a sufficient answer to the suggestion which has been made, that there is any desire on the part of any of us to jerry-mander the representation of Liverpool. The responsibility of determining whether, in the first place, a case is made out for the change; and, in the second place, the determination of what change—that responsibility we leave where it was before. But the defect of the present system is this: that the authority which has power in the matter has no initiative of its own. The authority can only be set in motion as the result of local intervention, and all that we propose to do by this Bill is to remove the difficulty in the way of that local intervention. We propose to do that in two ways; we propose to apply in this case the sound and wholesome principle which Parliament has generally applied—that the vote of the majority of the elected Town Council shall be sufficient, at any rate, to start the machinery which will enable this matter to be considered by the authority. We propose that a bare

majority of the Town Council shall take the place of the existing fantastic suggestion that two-thirds of the whole Council shall be necessary; and, in order to meet the possible case of the failure of a Town Council to do its duty, we propose as an alternative that a certain number of the burgesses in any ward shall themselves have the initiative of sending to the Privy Council a petition to start the proceedings. We propose further, while we are legislating, to get rid of the other difficulty which exists—namely, that if you petition for the re-adjustment of the limit of the municipal boundaries, you must also petition for a change in the number of wards. The law in future, if this Bill obtains sanction, will be that you can either petition for a change in the number of wards, or for a change in the boundaries of the wards, or for both. That is our Bill, and I suggest that its justice and equity are as clear as the extent of the evil it is designed to meet. I notice that there is opposition to this Bill, but I am not going to anticipate anything that may be said in support of that opposition. I have some difficulty, however, in thinking that the opposition can be persistent, because it is the opposition of Radical Members, gentlemen who pose as the champions of popular principles and popular ideas. Therefore, I have difficulty in believing that hon. Gentlemen who, on the platforms of the country pose in that character, are on this May afternoon going to turn reactionaries by doing all in their power to oppose the passage of a Bill founded upon popular principles, and the object of which is to give fair play to the majority in the municipal administration in this country. I do not wish, so far as this opposition may be of a local character, to say more than one word about it, because this Bill is general in its character, and I do not wish to entangle its discussion with the details of any local controversy. I trust, however, the House will note the character of the local opposition to the Bill, and I suggest that the measure of that opposition is the measure of the necessity of this Bill. If the representatives of the minority in a certain city oppose the Bill this afternoon, the House and

the country will form its own judgment as to what justice the majority of the ratepayers in that city will receive at their hands. I only wish now to say this final word. I do not believe Parliament will depart from the principle which it has always pursued of refusing to allow special interests to stand in the way of general interests; I do not believe the House will recognise in the case of Liverpool a vested right in injustice and inequality; believe, on the contrary, that this House will accept the Bill on the broad ground that it is a measure the scope of which is general, that it is a measure founded upon the principles which now prevail, and, further, that it is a practical mode of dealing with a practical grievance. This Bill is one which most municipal corporations desire to-day, and which every municipal corporation will want shortly. I beg to move its Second Reading.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. Mattinson.*)

MR. NEVILLE (Liverpool, Exchange): I oppose this Bill in spite of the way in which it has been introduced into this House by my hon. and learned Friend opposite, and in spite, too, of what he has said. I do not hesitate to say that the Bill would be better described by the title: "A Bill to Gerrymander the Wards of the Municipality of Liverpool," than by the title which it holds, and which is innocent enough on the face of it. But the devices of my hon. and learned Friend are not sufficient to conceal the identity of the right hon. Gentleman who sits in front of him, and who stands behind him in regard to this Bill. One thing those with experience of Liverpool are almost certain to recognise is that when there is going forward any political manipulation in the city the right hon. Gentleman will not be far off. With regard to the devices to which my hon. Friend has resorted on the present occasion, the right hon. Gentleman has apparently considered it wise not to identify himself with the measure, probably deeming the other course inconsistent with the dignity of a position in the Privy Council and membership in Her Majesty's Govern-

*Mr. Mattinson*

ment. But, Sir, notwithstanding that, I think we recognise the master mind behind, for I do say, in the right hon. Gentleman's favour, that he is a past-master in the art of so arranging electoral divisions as to give an undue preponderance of Tory votes to Liverpool. For my part, I trust he will not have an opportunity to exercise his undoubted abilities in that direction with regard to the present division of the Municipality. My first objection to this measure is founded upon the fact that it is a local measure and nothing else; and if the House desires to be convinced upon that point, I do not think I need go further than to point out the names upon the back of this Bill. Without one exception they are those of the Tory Members for the Port of Liverpool, and I think my hon. and learned Friend must have been laughing in his sleeve at us when he disavowed any local intention in regard to this Bill, and suggested that there was a very burning desire for it elsewhere.

MR. MATTINSON: I did not disavow any local intention. This Bill will correct injustice in Liverpool; but it will go far beyond that, and correct injustice all over the country.

MR. NEVILLE: I am glad there is no difference of opinion between us on that ground. It is a Bill the object of which is to deal with alleged injustice in Liverpool.

MR. MATTINSON: One of the objects.

MR. NEVILLE: It may have the effect of removing injustice outside Liverpool, but that has nothing to do with the origin and support of the Bill. Now it seems to me that it would be setting up a very bad precedent to introduce a measure altering the general law of the country in order to meet an alleged injustice in one particular case, and to enforce that argument I think I need not do more than point to the state of the Benches opposite on this occasion. Here is a Bill which, as I think I shall be able to show, proposes an alteration of a very serious nature in the Municipal Corporations Act of 1882, by which the Municipalities throughout the country are regulated. It is supported, in the first instance at all events, by the representative of a

particular borough, but little or no interest is taken in it throughout the country. I do not believe half-a-dozen Municipalities are aware of its existence, and I therefore ask the House to pause and consider very carefully the nature of the proposed change before voting for the Second Reading of this Bill. I feel sure that hon. Members on both sides will admit that the general principle I have stated—namely, that there should not be an alteration of the general law of the land in order to meet a particular case of injustice—is a right principle, and ought not to be departed from except where a very strong case of injustice is made out. Well, I propose to show that there is nothing in the case of Liverpool which can justify hon. Members opposite in asking for an alteration in the general law to meet it. In the course of my remarks on that city I shall have to speak of the conflicting interests between Liberal and Tory there. No doubt some persons will say that Party politics ought not to obtain at all in municipal government. (Hear, hear.) I am surprised that a Member of this House should commit himself to such an opinion, because I think anyone who has only a superficial acquaintance with municipal government in large cities must recognise that there is no other reasonable system upon which it can be carried on. So long as Party Government is conducted on the principle of division into two broad lines, whether you call them Liberal or Tory, Progressive or Moderate, I do not care—but so long as that method obtains, I believe you have the most satisfactory system human ingenuity has yet devised for carrying on the government of a free country or city. Therefore, Sir, I do not think I owe any apology to the House for speaking of the Liberal or Tory cause in connection with the municipal affairs of a city like Liverpool. Undoubtedly there is practically the same line of cleavage between Tory and Liberal in municipal matters as in Imperial affairs, and politics generally. I have no doubt that in 99 cases out of every 100 the habit of mind which leads a man to declare himself Liberal or Radical in regard to Imperial affairs will place him on the same side in municipal affairs. With that preface,

let me call the attention of the House to the municipal history of Liverpool, extending over nearly 50 years. During the whole of that period that city has been under the absolute domination of the Tory Party. At the present time, however, very strong indications are apparent of a weariness of this Tory domination, and Tory seats have been lost year after year in the municipal elections. It is not unreasonable that there should be these strong indications of a desire for a change on the part of the citizens of Liverpool, because, despite a magnificent corporate estate, they find themselves burdened with heavy taxation and the town swarming with public-houses, a state of things for which they have to thank those who have had the regulation of their city for the past 50 years. At all events, whether they are right or wrong, the people of Liverpool are evincing a desire to see if the other side cannot do something better for them, and I do not hesitate to say, Hence this Bill. What is the present position of municipal affairs in that city? Of the elected Councillors there are 28 on the Liberal side, and 20 on the Tory side; but then there are 16 Aldermen, every one of whom is a Tory. Upon the termination of the present Council eight of these Aldermen will have to retire, and of course eight will have to be elected in their place. Should the Liberals gain at the next municipal election one seat, they will then have an actual majority in the Council, as they now have a majority of elected Councillors. It is obvious if that programme is carried out, as the Tories in Liverpool fear, there will be at all events a temporary end to their long ascendancy, and it is with the view of meeting that difficulty by what they call a re-arrangement of the wards that this Bill is introduced. For my own part I do not think it is a fair device for the purposes they have in view. I do not object to a good fight, and I hope when I get a defeat I can bear it well. But I like to fight fairly, and I think in this case the Tories have not kept to the rules of the game. And, Sir, I am fortified in this view by this reason—the anomalies which my hon. and learned Friend has pointed out have existed for a con-

siderable number of years, and are anomalies which exist in a greater or less degree all over the country, both in Parliamentary Divisions and in the wards of Municipalities, because at the present time the principle of equal electoral divisions has never been accepted in this House. This is a question which when it is dealt with should be dealt with as a whole, and not as it affects one particular locality. Curiously enough, just twelve years ago the Tories in Liverpool found themselves in a position almost identical with that which they occupy to-day. They discovered that if they lost one more seat at the municipal elections, the Liberals would have an absolute majority and have the management of the city in their hands. Thereupon the injustice of the distribution of the wards immediately struck the Tory mind. It had existed before, but it had suited their purposes, and it was only on the memorable occasion I have referred to that the injustice of the existing state of things flashed upon them. An agitation was begun, and steps were taken to introduce a Bill on the same lines as the present one. Well, Sir, that scheme never took final and definite shape, because in the interim a better device occurred to the Tory mind, which had the desired result without putting that Party to the inconvenience and danger of an alteration of a system which, on the whole, had worked so much in their favour. I think I am not wrong in saying that the Gentleman who discovered the device is the right hon. Gentleman opposite (Mr. Forwood). At all events, he always obtained the credit for it, and it was considered another evidence of his astuteness in municipal matters. Now, the device was this. There were a great many Tory voters who had duplicate and triplicate qualifications, giving them the right to vote in different wards in the borough. Of course, such a course was contrary to the whole spirit of the Municipal Corporations Act, but that was immaterial. The brilliant idea was to send a circular round to these persons, inviting them to poll early and often. This invitation was readily accepted, with the result that the dreaded catastrophe was averted. Instead of losing

*Mr. Neville*

a seat, the Tories gained several. Well, it may be said, "What advantage could accrue from that? Obviously, it was a flagrant breach of the law, and could not pass unnoticed, and upon a petition being presented the matter could be set right." Yes, but observe the extraordinary astuteness of the scheme. You cannot petition in a moment, and owing to the faulty condition of the law, as soon as Councillors are elected they are entitled to vote for the election of Aldermen. Consequently those gentlemen who had obtained their seats by the exercise of the duplicate and triplicate franchise on the part of their Tory supporters turned up on the 9th of November and enabled the Tory Party to select eight Aldermen of their own political colour. A petition was in due course presented, and a Commissioner was sent down to try the case, and I am sorry to say he had to describe this Tory device as a fraudulent one, and several of those elected Councillors were unseated. But that did not matter, because eight Tory Aldermen had been elected who could not be turned out, and so the Tories were left in possession of their ascendancy for another 12 years. Now, I am sure hon. Members will not be surprised when I tell them that with the success of this device the anxiety of the Tories for a re-arrangement of the wards began to cool and gradually faded away, and it was not until the same position of affairs again began to stare them in the face that they bethought themselves of bringing in this Bill. In answer to my hon. Friend who suggested that I should find a difficulty in opposing this Bill, because, in effect, it provides for the right of popular representation, I would point out that its great defect is that it takes away from popular representation that power which is intended to be given, and is given, by the Municipal Corporations Act of 1882. My hon. Friend spoke of the extraordinary provision of a two-thirds majority. I wonder, in reading that Act, it did not strike him why that two-thirds majority is required. It is tolerably easy to see the reason. The Municipal Corporations Act provides that one-third of the Corporation shall consist of Aldermen, and consequently the effect of the two-thirds regulation is this—that you can petition



for a re-constitution of the wards when—and only when—you get a majority of the elected Councillors ; and it was with the very object of giving the wards themselves a voice in saying whether there should be a re-constitution of them that this provision as to a two-thirds majority was inserted. The effect of my hon. Friend's Bill will be to transfer the power from the hands of the elected Councillors to the hands of the Aldermen, and on that ground I say that every man who believes in Local Government being conducted by the representation of the people themselves ought to support me, and resist the Second Reading of this Bill. Now, my hon. Friends opposite know quite well that the Liberals in Liverpool have from time to time suggested an alteration in the size and distribution of the wards. But it is not on the question of whether it may be right or wrong to re-arrange the wards that I base my present opposition to this Bill. This is only part of a larger question, and cannot be fairly touched without entering upon other matters germane to it, including the present incidence of the rates and the power of the Aldermen to vote for their own election. I say this is part of a larger question, and you cannot enter upon it without entering upon those that are germane to it; and while we are perfectly ready to have taken into consideration at one and the same time the incidence of the rates, the power of the Aldermen, and the distribution of the wards, hon. Gentlemen on the other side wish to deal only with the re-distribution of the wards when it serves their purpose, and to relegate to the future or to perpetual limbo the other questions. I will refer to a Report which was made by a Sub-Committee of the Council appointed for the purpose of considering the re-distribution of the wards at the time the Tories were in power and Tory Members formed a large part of the Committee. The Report says—

“Inasmuch as no re-arrangement of the wards can, in the opinion of this Committee, be accomplished without manifest injustice to the ratepayers in the absence of special provision for securing an equitable adjustment of the rates, having regard to the rateable value, indebtedness, and other incidents in the parish wards and on the townships respectively, it be reported to the

Council that no re-arrangement can be satisfactory without securing adequate protection of the rating interests in the parish wards and on the townships respectively.”

So that here you have in the year 1883 a declaration by a Sub-Committee of the Council that the proposal which my hon. Friend places before the House to-day is one which cannot justly be carried out without reference to the incidence of rating in the borough. I ask the hon. Member how he proposes to deal with this question? Why is there in this Bill no provision for the re-distribution of the incidence of rating in the borough of Liverpool when a Committee of his own Council, whose Report I have read, say that one proposal without the other would be unjust and unsatisfactory? How is it that what was unjust and unsatisfactory to the Tory mind in 1883 is now in 1892 just and satisfactory? I think I have sufficiently indicated what is the ground of the support of the present Bill. Let it be remembered that this is not a mere struggle between two Parties in Liverpool. That the existence of that struggle was the occasion of the Bill nobody can deny, but it is a Bill which proposes to deal with every Municipality in the country ; and I ask, are hon. Members prepared, having regard to the tendency of popular opinion, to transfer the power from the elected Councillors of a Municipality to the Aldermen? That is what this Bill does in fact. It takes away from the elected Councillors the right to say aye or no whether some such petition as is referred to shall be presented, and vests it in the Aldermen, so that the Aldermen, backed by a very small proportion of elected Councillors, can present a petition and embark on an attempt to jerrymander the wards wherever they think it would be to their advantage. It is perfectly idle to suppose that an inquiry of this kind does not open the door to jerrymandering, and it is impossible to suppose that astute politicians would not take advantage of it. Can we have a clearer example than in the re-distribution of seats at Liverpool, with respect to which the hon. Member is entitled to full credit for the service he did his Party? The borough of Liverpool used to return two Tories and one Liberal,

the Tory representation being in the proportion of two to one. The majority was not a large one, and so near, indeed, were the Parties in strength, that I believe I am right in saying that on a poll of something like 40,000 the majority would be 2,000 or 3,000. I dare say also the House remembers that at the last bye-election, before the re-distribution, Liverpool showed an actual Liberal majority and returned a Liberal Member. This shows at least that the Tory majority was very small. Now, under the re-distribution, the Tories get seven of the seats and the Liberals two. That is not a fair re-arrangement; and the Liberals fear that if the re-arrangement of the wards is left in the same skilful hands, the same disastrous results will follow if the present Bill finds favour with the House and existing Corporations are empowered to re-distribute the wards to suit their own purposes. The whole object of this Bill is that it should become law before the next 9th of November; because if it does not it will fall to the ground. Is it a right thing to give to every existing Corporation in the country the power to try before the next 9th of November, if they can so gerrymander their wards as to give them a majority which they would not otherwise have? Such a course would be most unjust. This matter was not before the ratepayers last 9th of November, and the present Corporations have not been returned with a view to the re-distribution of the wards in any way, and consequently you will have a Corporation who are moribund, who are in the last phase of their existence, attempting to secure their return to power by a re-arrangement of the wards which has not been submitted to the people to whom they are responsible, and upon which they would have no possible opportunity of consulting the people. I think it would be a monstrous thing, and the effect of this Bill would be that every expiring Corporation would be in a position to gerrymander. That seems to me to be an argument of very great weight against the Second Reading of this Bill. We ought to know more about the views of the Municipalities themselves. If this were not unjust with regard to Liverpool, as I think it is, it

*Mr. Neville*

might well be unjust in the case of other Corporations, and yet we are asked to blindly rush in and alter what has been the law of the land for the last ten years without knowing the view of a large number of the Municipalities. It is quite true there are anomalies, but I would ask the House to bear in mind that this question is of much larger import than is suggested by the present Bill. In Liverpool the question of re-distribution cannot be attempted alone without the danger of doing injustice in respect to the incidence of rating, and yet there is no provision for anything of the kind in the Bill, and I hope the House will consider what they are asked to do in reading this Bill a second time. It has been suggested in the newspapers that my hon. Friend is to have the support and assistance of the Government in this matter. I do not pretend myself to know the views of the Government, and I hope, in common with others, before many weeks are over I shall have an opportunity of giving my views with regard to the action of the Government during the last six years. But I do not think so badly of the Government as all that, and I think my hon. Friend (Mr. Mattinson) must be reckoning without his host when he says he is going to have their assistance in this matter. No doubt the right hon. Gentleman opposite (Mr. Forwood) and the Liverpool members will go into the same lobby, but that is a very different thing from obtaining the support of the Government. I venture to think the Government must know their ground in the country very little if they give their support to such a practice as this, for in spite of the sobriety with which my hon. Friend introduced this measure, and in spite of his appeals to us to remedy this injustice of which no one complains, and in spite of the wonderful case which has been dug out and which has been supported by hon. Gentlemen opposite to the best of their ability, I say it is perfectly obvious to the House that this is a proposal that excites very little interest in the country outside the particular borough of Liverpool. I feel sure that the Government will never lend themselves to an alteration of the law in a case of this kind. I almost think from

a Parliamentary point of view I should be glad if I were to discover that I have formed too good an opinion of the Government, and that they supported my hon. Friend and took up this measure, because I think that, so far as Liverpool is concerned, they could not do anything which would render them more unpopular. We shall very soon know what the views of Liverpool are, and I am ready to consult my constituents to-morrow, if right hon. Gentlemen opposite will give me the opportunity. If hon. Gentlemen opposite imagine that the Government is going to weaken its popularity by going out of the proper course to interfere in a local dispute, and to allow the general law to be altered to deal with a particular case which their supporters declare is adverse to them, I believe they are mistaken; but if they are not mistaken, then I say that not only in Liverpool but throughout the country there will be a very strong feeling that to serve a party end they have taken a course which is unworthy of Her Majesty's Government, and have embarked upon a scheme to which they ought not to have lent themselves. I move, Sir, that this Bill be read a second time this day six months.

(1.45.) MR. PICTON (Leicester): As one who takes a deep interest in municipal prosperity, I desire to say a few words in seconding the Amendment of my hon. Friend (Mr. Neville). We were told by the Mover about the sacred rights of majorities, and we were told something about the majority of the ratepayers of Liverpool; but now we have learned from my hon. Friend, who knows all about it, that the majority is on the other side. Here are the plain facts. We are told that there is a majority of eight amongst the Councillors on the Liberal side, and out of 75,890 burgesses there voted last November for the Tories 24,097 and on the other side 22,796, which gave a majority of 1,301. In 1890 the Liberals polled a majority against the Tories. Of the twelve wards within the old city boundary, eleven return Liberals, and in eight of these wards all the Councillors are Liberals, and the majority of the Council is Liberal. This proposal goes to the root of popular rights

and proposes to set up the rule of Aldermen, which has been found to be an intolerable yoke: This Bill is intended to fasten that yoke in a still more painful manner, not only upon Liverpool, but upon every other town in the country, whose voices we have not heard. This is really more in the nature of a Private Bill. Not only do the names on the back show that it refers to Liverpool alone; but look at the present condition of this House—the Members for Liverpool are about one-quarter of the Members present. Where are the representatives of Birmingham, Manchester, and the great towns of the country? The fact is those gentlemen have not given the slightest attention to this matter. They do not look upon it as Public Business; they regard it simply as a Party measure for gerrymandering the Liverpool wards. The hon. and learned Member for the Walton Division (Mr. Mattinson) alluded to a considerable number of towns in which the wards are very unevenly arranged and with some very unequal numbers of voters, and he referred amongst others to Birkenhead. What is to hinder Birkenhead at the present time applying to have the wards re-arranged? They say it requires a two-thirds majority. At Birkenhead the Tories have a two-thirds majority. I do not know whether the majority is not even larger than that. If they want the wards re-arranged they can have it done by presenting a petition, and so it is in the case of Liverpool. They have rejoiced in years past in a two-thirds majority on the Council, with the Aldermen; but they never thought of proceeding with the re-arrangement of the wards, and it is only when their majority is in danger that the idea occurs to them. It is drawing too largely upon the credulity of this House to represent this as a great public measure for the emancipation of majorities and the assertion of their rights. I do not think I need add any facts to those that have been advanced by my hon. Friend (Mr. Neville). I rather wish to say a word or two from my own experience in support of the view that if any city in the country ought to have such a Bill Liverpool is the last city which ought to have it.

of returning nine members to the City Council. If wards containing 55,000 electors return seven members—Tory members—while 19,000 electors were able to return nine Radical members, is it to be wondered at that the hon. and learned Member wants to continue this unjust system, wants to build up a nominal Radical majority in that Council Chamber by retaining the jerrymantering of the wards as they stand to-day? The hon. and learned Gentleman, no doubt, could not be expected to have had in his own personal knowledge the information which he has vouchsafed to the House; and he has had to rely upon others. I strongly advise him not to rely upon the same informants at any future time he wishes to address the House, if he desires to adhere to the facts of the case. He went into the history of this matter as regards Liverpool. He said the Tory members of the Council of Liverpool saw their position twelve years ago, and then, with a subtle argument worthy of the Court in which he practises, he associated this with a certain circular that was issued by the Conservative Party, as to the advice to be given to the duplicate voters. But he went on to say that although the Conservative Council saw this twelve years ago, they had taken no action in the meantime. He said nothing was done for twelve years, for the Tories had no wish to change. But in the following sentence the hon. and learned Gentleman said the question had been considered again and again. So it has. Almost year in and year out has this matter been brought before the Council of Liverpool; but the Liberal members of the Council, as a minority, have prevented justice being done to the large districts having their due measure of representation—the Liberals of the town, acting under a peculiar clause at present in the Act, obstruct and prevent anything being done to remedy this injustice. In passing, I may say that the hon. and learned Member brought forward the question of the so-called fraudulent advice of the circular issued to the duplicate voters, and which said—"Vote early, and vote often." He characterised this—and as a lawyer, no doubt, he thought it just

*Mr. Forwood.*

and right to do so—as a flagrant breach of the law, which was as well known to the Liberals as to the Tories. Well, it may be a surprise to the House to know that if it was a flagrant breach of the law, which was as well known to the Liberals as to the Tories, that they issued a very similar circular to this six months before the circular was issued by the Conservatives. And they did not issue it in a tentative form, but they issued it in an absolute form, because it told the duplicate voters to vote in every ward in which they were qualified. It is a fact that the first of these circulars, which the hon. and learned Gentleman says the Liberals knew to be a breach of the law, came from the friends of the hon. and learned Member who has just moved the rejection of this Bill.

**MR. NEVILLE:** I never heard of it before.

**\*MR. FORWOOD:** The hon. and learned Member says he never heard of it before. I do not wonder at that. I think it was a little before he had the honour of representing a division of Liverpool; and I can well understand that his friends in Liverpool would not be likely to call his attention to that appeal. But if he wishes I can, at an early date, furnish him with a copy of the circular.

**MR. T. P. O'CONNOR (Liverpool, Scotland):** Will the right hon. Gentleman furnish me with a copy of the other circular? ("Order, order!")

**MR. SPEAKER:** Order, order! Mr. O'Connor.

**MR. T. P. O'CONNOR:** Will the right hon. Gentleman furnish me with a copy of the other circular issued at the same time by the Conservative Association which contained a demand by a number of Conservative candidates with a note that unless the electors voted as described in that paper the votes would be lost?

**\*MR. FORWOOD:** Certainly I will furnish the hon. Member with a copy of the circular issued by the Conservatives which the hon. and learned Member for the Exchange Division said contained fraudulent advice, and also with a copy of the circular previously issued by the Liberals to which I have referred.



MR. NEVILLE: I beg the right hon. Gentleman's pardon—I did not call the advice contained in the circular fraudulent advice. I said that the Commission had called it fraudulent advice.

\*MR. FORWOOD: Another reason which the hon. Member, speaking on this Bill, urged was that Liverpool had been misgoverned for the last fifty years under Tory administration. Well, if the prosperity, the growth, and the progress of Liverpool in its trade, in its commerce, in the health and welfare of the inhabitants—if the happy change that has occurred in these fifty years is to be called misgovernment, I hope we may have the same misgovernment in every town in the country. He went on in his argument to say that Liverpool is full of public-houses, and that it was indebted for that to Tory municipal management. Again he has been misinstructed. The Radical brother of the right hon. Gentleman the Member for Midlothian, 20 or 25 years ago, using the great and just influence which he possessed on the Bench of Liverpool, instituted what I may call the free trade in licences. That is, that every responsible man who had a house that was fit for licensing should have a licence, irrespective of the number of those adjacent, or irrespective of the wants of the neighbourhood. In consequence of the Radical magisterial influence—and not of the influence of the Town Council—Liverpool was afflicted with something like 2,800 public-houses; and although the population has increased 30 per cent. since that time, the houses have been materially reduced by the action of the Tory majority on the Bench, till I think they to-day have fallen to 2,000. Another instruction of the hon. and learned Gentleman was evidently wrong. He suggested to the House that this attempt to alter the arrangement of the wards of Liverpool was being done without any regard having been paid to the incidence of taxation—in other words, that a majority of the ratepayers, if they were duly represented, on the Municipal Council, might perform the operation of practically robbing, or making other ratepayers not liable pay a proportion of their burdens. Now, under the constitution

of the Liverpool Corporation that is impossible. Under the Act 16 Victoria, chapter 127, the Corporation of Liverpool are distinctly and clearly directed as to how the rates of the town are to be collected. Liverpool is divided into four or five separate rating districts. That Act of Victoria, chapter 127, enacts that the work done in these several rating districts must continue to be levied upon each of the several rating districts until the work is completed; and it would not be in the power of the Corporation, however constituted, to affect the question of the rates to be levied in any ward or district one iota.

MR. NEVILLE: I am sure the right hon. Gentleman does not wish to misrepresent the argument that I addressed to the House. I did not suggest that one section of the Council would endeavour to override the law; but I referred to the Report of the Committee appointed to consider the question of the redistribution of the wards, and it declared that no such redistribution would be just unless there was a re-adjustment of rating.

\*MR. FORWOOD: Yes, the Report of the Committee to which the hon. and learned Gentleman refers was carried by a Radical majority, and it is not a Tory Report.

MR. NEVILLE: I think the right hon. Gentleman will find that there were eight Liberals and eight Tories on the Committee.

\*MR. FORWOOD: But not eight Tories when the Report was agreed to. I will, however, come to much more modern history. As late as November, 1891, a special meeting of the Council of Liverpool was called for the purpose of endeavouring to get the necessary 42 signatures to a Petition to Her Majesty in Council to re-arrange the wards of the city. That Petition was opposed by the hon. Member's friends, the Liberal and Home Rule Party in the Liverpool Council. But there was not a word as to the incidence of the rates. What they said was this—that

“Whilst recognising the inequalities now existing in the wards and in the city, and the desirability of a juster representation, we resolve”—not that the rates are unfairly levied, but—“that the consideration of the

subject be postponed until the Aldermen of the city are prohibited by law from voting in the election of Aldermen."

And yet he comes here and says that the Liberal Party oppose this because of something which has to do with the incidence of the rates. Nothing of the sort. They endeavour to continue in the hands of the minority of the town the practical majority of the Council. Another argument of the hon. and learned Member was that this Bill would transfer the power as regards the alteration of the boundaries of the wards from the elective Council to the Aldermen. The Bill will give to the majority of the Council elected and Aldermen, whoever they may be, the right to petition to remedy this wrong. The hon. and learned Member has endeavoured to prove to the House that next November the Party whom he represents will be in a majority in the Council Chamber of Liverpool, and that, being in the majority, they will be able to elect a certain proportion of Aldermen. Very well, if he is right in his assumption, the Aldermen who will have the power—as at present—to take part in the question of any petition will be those whom the majority, or Liberals, may choose; but it is not in the power of the Aldermen or in the power of the Councillors of Liverpool to make this alteration. It would not have been in the power of this House, had the small pocket boroughs of this country five years ago been in a majority of the House, to proceed with the re-distribution of the seats in this country. It is not natural that a member for a small ward or small district should fly in the face of his constituents, and vote for its practical extinction or absorption in any neighbouring constituency. That is the point which is raised in the Bill proposed by my hon. and learned Friend. The present Act requires two-thirds of the Council to concur. To get that two-thirds of the Council you will require some of those who represent the small wards of the town to do what the Japanese know as the "happy dispatch"—to do away with themselves, to extinguish their wards, or to amalgamate and to create a new state of things in their place. It is not at all

likely—human nature being what it is—that gentlemen representing these small constituencies will concur in a vote that will extinguish themselves and their constituencies. Then another argument used to make this a local instead of an Imperial question is, that the basis and purport of this Bill is that action may be taken under it before the 9th November, and a re-arrangement of the wards carried out so that the elections in November next may take place under the new condition of things. Now, I venture to say that if the hon. Member had reflected for one moment upon what he said, from his legal knowledge he would have known that it was perfectly impossible for that to take place. He must know that the date for fixing those who are in residence and entitled to vote is the 20th June, and that it is physically and practically impossible for this Bill to become law and for a Commissioner to be sent down by the Home Office to inquire into the existing state of things before the 20th June, so that the elections that take in November, whatever may be the result of this Bill, must be taken upon the present register and upon the present division of the wards. If his friends are to have a majority of Aldermen they will obtain that majority whether this Bill is passed or not. The hon. Member for Leicester (Mr. Picton) alluded to what he called the party bitterness and intolerance existing in Liverpool, and said there was now the unjustifiable rule of the minority. Yes, Sir, that is so, and the object of the Bill is to give the majority their just rights. I will give in a moment or two some figures showing the position in which the minority is placed; but I have already stated that 55,000 people in Liverpool last November had to succumb to the votes of 20,000. Now, the hon. Member talked about intolerance in Liverpool as regards the election of Aldermen, and about the large spirit evinced by the Radicals of Leicester, holding Liverpool up to scorn compared with the town which he represents. I am informed—the hon. Member will correct me if I am wrong—that all the Aldermen in Leicester, where there is a majority of Liberals,

are Radicals. I am told that the same prevails at Leeds, at Nottingham, and in other towns of the country. I am not here to justify that condition of matters. If you ask my own opinion, I think the county principle is the right one—that Aldermen should not vote for Aldermen; and I have proposed that in the Liverpool Council. That Council has unanimously petitioned this House to assimilate the law with regard to boroughs and counties in that respect. I believe Liverpool is the one town in the country that has a monopoly of Tory Aldermen. All other towns in the country have a monopoly of Liberal Aldermen; and before hon. Members support such a proposal as that Aldermen shall not vote for Aldermen in boroughs I recommend them to communicate with their friends in the number of boroughs who apply the principle of electing none but Liberal Aldermen. My hon. and learned Friend who introduced this Bill gave the House some interesting and startling figures. He did not give all that he could have done, and I hope the House will bear with me while I place one or two other facts before them. The position of Liverpool is not an isolated case. It is to be found in other parts of the country than those named by my hon. Friend. Blackburn has one ward with only 713 electors, and in another ward it has 5,218 electors, and I may say that that state of things continues, although I think all the Aldermen are Radicals. Bristol has in one ward 1,900 electors with six members, whilst it only allots three members to 3,700 electors in another ward. Huddersfield gives six members to 1,500 electors in one ward, and only allows the same number of members to another ward with 2,200 electors. Leicester—and I regret that my hon. Friend who represents that constituency is not in the House—has one ward with 585 electors and another with 6,500 electors. But they are promoting a Private Bill in this House to alter their boundaries and to re-arrange their wards. The conclusion I draw from that is that they have not found the present Act as regards the alteration of the wards satisfactory, and so they have proceeded by this Private Bill. If that Bill becomes

law it may assist them in Leicester to remove such a great inequality. I am told by an hon. Friend who sits behind me (Mr. Hornby) that I am wrongly informed with regard to the Aldermen in Blackburn, and I want at once to correct that. I express my regret for having given the House any wrong information; but I ought to have said the town of Burnley has ten Radical Aldermen and two Conservative Aldermen. Northampton is in a similar state to Leicester. Norwich is even more remarkable, with one ward of 400 electors and another with 6,500 electors. Salford has six members for 2,500 electors, and it has only three members in another ward with 4,200 electors. The place which my hon. Friend the Under Secretary for the Home Department so worthily represents gives six members to 2,800 electors, while it only grants three members to 5,875 electors. I say that that is an altogether wrong, improper and unjust representation of the people, and that it prevails so generally as to justify the introduction of a Bill which will enable it to be considerably modified. I would like, with the permission of the House, just to follow my hon. Friend into one or two other figures as regards Liverpool. He has told the House that in one ward there are 23,000 electors. Its rateable value is £598,000; it contains 82 miles of streets, and yet has only three Councillors. On the other hand, the smallest ward contains only 700 electors. Its rateable value is only £98,000, and it has only an area of 400 acres, and yet it has the same number of representatives as the enormously large district of Everton, with 1,300 acres. When the Municipal Bill of 1835 was passed, what was the state of these two places? The electorate was then 500, whilst it is now 23,000, whereas the small ward of which I have spoken had then 500 electors, and it has now only 700. These may be extreme cases. I will now refer to the five wards which have between them no less than 55,500 electors, but which return only 15 members to the Town Council. The remaining eleven wards have only 17,000 electors, and yet they have the privilege of returning 33 members to the Corporation. The object of di-

viding the town into wards is to create a personal interest in the districts represented on the Council. If a body of 48 gentlemen were got together indiscriminate'y to rule a town, and to look after its welfare, the ratepayers would not have the same opportunity of approaching the Council, and of getting their special interests attended to as well as if they had their own district representatives, to whom they could go with their grievances. The five wards I refer to, which have only 15 Councillors, cover an area of 3,900 acres, whilst the eleven wards which have the advantage of being represented by 33 Councillors cover the comparatively small area of 1,350 acres. The five wards include no less than 200 miles of streets, whilst the eleven wards include only about 75. If there was ever a question which distinctly affected the interests of the working classes it is this question. It is said frequently, I know, that you must have regard to rateable value as well as to population in the division of wards, and that the Act of Parliament requires the Commissioners who may be sent to the town to have regard to rateable value. I am not sure it is the right principle, but it is in the Act, and it is to be carried out. In our large provincial towns, the rich, prosperous people fly to the suburbs as soon as their day's work is over. They remain for as few hours as they possibly can in their shops or their counting-houses, and they take comparatively little interest in the condition of the people. But it is far different with the working classes. They must remain near their work the whole day, and sleep there. They can never see the green fields or the country, and it is for such that you should have regard. The heaviest death rate is not to be found among the shopkeepers and traders, but in the homes of the poorer classes, and it is, therefore, most essential that the latter should have proper and just representation on the Town Council. In the five wards I have referred to, the average assessment of each elector is only equal to £26 a year, whilst in the eleven aristocratic wards in which the bankers and the shipowners live, the average is £94 per annum. The hon. and learned Member for the Exchange Division and the hon. Member for

Leicester have come down to the House to-day and said, "Perpetuate this gross injustice; take away the just rights of the working classes, and continue to favour the rich men who do not live in the district." In the eleven wards which I have mentioned the number of electors is decreasing. In the last 20 years the population of those wards has decreased not less than 20 per cent, whilst in the five wards it has almost doubled in the same period. The growth of the population in Liverpool can only go on in the large wards, which are practically disfranchised. We have heard a good deal in this House about "One Man, One Vote," but when we come to put it to the test we see what the meaning of it is. When the same power is given to one Radical voter in one district in Liverpool which is given to 32 voters in another district there is a desire to perpetuate it, because it is in the interests of that Party. This is the practical manner in which this question is being dealt with; but I am satisfied that the House will not stultify itself by saying to the great working classes who are compelled to live within the district in which they work, "We will continue to give you this inadequate and unfair and unjust representation." I hope the House will deal with this question as it was intended it should be dealt with—that is, as a great National and Imperial question—and that it will give a Second Reading to this Bill.

(3.1.) MR. T. P. O'CONNOR: I was very much interested in the observations of the hon. and learned Member who moved this Bill. I have always had great respect for his abilities, but I must say that he astonished me by his speech to-day, and the manner in which he was able to keep his countenance. He actually claimed that he and the Party to which he belonged were the Party of Reformers, and that we on this side are the Party of Reactionaries. He also put himself forward as a champion, above all things in the world, of popular rights and respect for the will of the majority of the people. But the speech of the hon. and learned Member was even surpassed by the right hon. Gentleman



who has just sat down. In the cities of America they have an institution which is known as the "boss." The boss is a person who by various means is able to get control over a large number of votes, and with the aid of these votes he becomes patron of the city which they control. The "boss," I am sorry to say, has in this case just left the House, but he will no doubt return. One of the chief directions in which this control in America is used is for the utilisation of the patronage of the city for political purposes. Now I charge it against the Tory Party in Liverpool that they have abused their municipal patronage for nearly half a century for political purposes; and I charge it against the right hon. Gentleman who is really sponsor for this Bill—for the four Gentlemen whose names are on the back of it are merely puppets put in motion by the experienced wire-pullers behind—I charge it against the right hon. Gentleman that he has been the pillar and the mainstay of the utilisation of municipal patronage for political purposes in Liverpool. Well, the people of Liverpool have borne this state of things for nearly half a century. They have had bad government—and I should have been very glad if the whole question of the government of Liverpool could have been brought before the attention of the country as an object lesson of what Tory domination means. Under the specious pretext of defending the rights of the people of Liverpool, an attempt is being made to keep up the system of corrupt jobbery which has been in existence for the last half of a century. What has been the history of this question? The people of Liverpool have allowed their property to be used or misused for political purposes; but there is going to be a majority—there is now already a majority of Liberal members. If the Liberals act half as badly as the Tories they will make Liverpool a name of reproach all over the country. The right hon. Gentleman has pointed out that there are anomalies in many other parts of the country. He has given a formidable list of cases, but why are not those Municipalities represented on the back of this Bill? This Bill will make a change not only in respect to Liverpool, but it will make a revolutionary change with regard to the Municipal

laws in the whole of the Municipalities of the country, and yet it is backed by the Representatives of only one Municipality, and of them by only four out of nine. Two of the Members are also in direct and violent opposition to the Bill—a hostility which will continue to the end. I am astonished we should be asked to make such a vast and universal change throughout the country on the demand of only four Representatives of one Municipality. There is another thing to which I wish to call attention. This is a general proposal, and yet it is a particular one. It is general because it applies to all England. It is particular because it excludes Ireland. I ask why the Municipalities of Ireland are excluded?

MR. MATTINSON: They could not be included in it.

MR. T. P. O'CONNOR: It would have been easy to have put a clause into the Bill which would have brought the Municipalities of Ireland under its control. Of course I know that the hon. Member is bound by the title, but he could have given it any title he pleased. Then why exclude Ireland from it? Only this very year we endeavoured to get a clause introduced into a Bill which would have given 70,000 people in Belfast some right to representation, but the whole of the Party opposite voted against it, and the citizens of Belfast were, by a system of chicanery and jerrymandering, deprived of it. Yet those are the gentlemen who are now setting up as the advocates of popular rights, as reformers, and as the opponents of the miserable reactionists on this side of the House. They are not thinking of reform, or of the rights of the people, but of preserving the buttresses of Tory corruption and Tory domination. I say that if we were to take our political tactics from the right hon. Gentleman we should give no fair play to our political opponents at all. There would be very few devices from which we should shrink. The right hon. Gentleman has had the courage to refer to the fraudulent device of a body to which he belongs, and of which he was Chairman at the time, and in his resentment he endeavours to fasten its application on the hon. Member for the Exchange Division. Now the right hon. Gentleman knew that the term

was not originated by my hon. and learned Friend, but that it was applied to the action of the organisation of which he (Mr. Forwood) was Chairman by the Royal Commissioner, who, I believe, is, or was, also a member of the same political persuasion as the right hon. Gentleman. By a fraudulent device a number of men were elected to the Council in Liverpool; by a fraudulent device a majority was created, and the majority so created fraudulently utilised the occasion for the election of Tory officers. The majority by which those Aldermen were elected was proved to be fraudulent, but did a single Tory Alderman resign his seat? Not one! Some of them, I believe, retain their seats to this day. These are the Gentlemen who now come forward to speak in respect to the will and wishes of the people. We are all aware of the object of this Bill. The Tories have now a majority of Aldermen on the City Council, and they suspect that when the next election has decided in favour of a Liberal majority, that majority may take advantage—as it has a right to do—of its position and alter the proportion. And the hon. and learned Gentleman talks about respecting the will of the people. That will be declared next November. (“No!”) Well, I have never heard any record of Members of the Party opposite holding the City Council to be unrepresentative of the people of Liverpool so long as the majority was Tory; but the moment the majority ceases to be Tory the representative character of the Council disappears, and it becomes a miserable body, not reflecting public opinion. I make an offer to the right hon. Gentleman. If he will allow the Aldermen to be excluded from this question, then we will be willing to consider the question of the re-distribution of the wards. When the next election comes what will be the position? This—that the Tories by the Aldermen will be able to vote down the elected Representatives of the Municipality. They want to pass a Bill which will enable them to cheat the people of their rights. Why do they want to do it now? This Parliament is moribund, the Municipal Council in Liverpool is in the same state, and they come forward at this period in order that the interval be-

tween this date and November may be utilised in jerrymandering the City of Liverpool in the Tory interest. The right hon. Gentleman made one point creditable to his astuteness. He said it is not the Aldermen or the City Council who will have the right to fix the boundaries of these wards, but he must deem us very simple if he thinks we accept that. We are acquainted with the right hon. Gentleman, and we know his devices and machinery for carrying out political purposes. The boundaries, of course, would be fixed by the Commissioner, but who would appoint the Commissioner? The right hon. Gentleman the Secretary to the Admiralty. Nominally, I know the Commissioner would appear to obtain the appointment from the Queen, who acts on the advice of her responsible Minister, and her responsible Minister acts upon the advice of the Member of the Government who is most familiar with the local circumstances, and who, in this case, is also most deeply interested in the political condition of his Party at the place in question. It is to the right hon. Member the Secretary to the Admiralty the Minister will have to go; but behind the whole proceedings will be the hand of the Tory “boss,” who, in the interests of his own persuasion, would be ready to do the kind of work he is now intending. I know plain speaking of this kind is always deprecated, and somebody will say, “Fancy a Commissioner appointed by sign manual of the Queen descending to partisan purposes.” I daresay this Division will take place on a straight Party vote, and I am sorry to think that hon. Members opposite should believe it their duty to support the right hon. Member the Secretary to the Admiralty on this question. I admire many things in the Government of America, but nobody who has ever been there can admire the municipal government of some of its cities. There are cities in America whose municipal government is a shame and a disgrace. I wonder if hon. Members opposite when denouncing that form of municipal government in America have ever asked themselves what is the cause of it. If they do, they will find it is the use of municipal patronage for party political purposes, and the institution of the “boss”

system. The City of Liverpool has some of the worst vices of the worst American cities. It has municipal patronage used for political purposes, and it has its "boss" in the shape of the right hon. Gentleman the Secretary to the Admiralty. I implore Conservative Members for the sake of pure municipal government in this country not to lend their assistance to the right hon. Gentleman the Secretary to the Admiralty in his present effort.

\*MR. WILLOX (Liverpool, Everton): I am afraid the House will almost have become weary of statistics and the iniquities of the Tory Party; therefore, in touching upon this question, I do not propose to go further than to correct one or two references to local history which have been given in the course of this Debate. It has been assumed throughout that the only Party which has been guilty of these acts is the Tory Party; but if we go back one step further in the municipal records of Liverpool we find this state of things—that when the Reform Act of 1835 came into operation the Liberal Party of the day secured a distinct and preponderating majority of the elected members of the Council. That power was exercised in precisely the same way as is now condemned in their political successors. They elected none but Liberals as Aldermen. The organisation of the Council at that time was as distinctly political as at the very worst imputed period of the present *régime*. But the Tory Party to-day has been accused of corrupt administration. That is a charge which is now made for the first time in the House of Commons as against the municipal administration of Liverpool—"No!"—because it has been the subject of an inquiry before a Royal Commission, and it was also the subject of discussion during the Debates on the Municipal Reform Bill; but in no single instance was there any imputation of malversation of office made against the earlier Corporation of Liverpool, nor was there, in the course of the whole Debate, the slightest imputation of that kind against them. But when the Liberal Party attained the ascendancy in the Corporation of Liverpool in 1835, their first act was to do one of the grossest pieces of corruption and jobbery that was

ever attempted by a municipal body. The Town Clerk of that day was obnoxious to them solely on the ground of his politics. He was driven out of office by the Liberal majority and the taxpayers of Liverpool were rated in a large sum to compensate that gentleman for the deprivation of his office, and in order that one of the political allies of the Liberal Party might be substituted in his place. It may be suggested that this is ancient history, and that the Liberal Party has reformed its ways and changed its principles in municipal affairs, as it has recently done in Imperial affairs. But it is not so, because even within the last few weeks the Liberal Party, which now professes such great anxiety for purity and propriety in public affairs, introduced as a candidate for a vacant office in Liverpool—that of the Coronership—a gentleman of good parts and abilities no doubt, but one who had no other claim to public recognition except his political service to the Party which now claims to be the party of purity and independence. Then another allegation against the Conservative Party of Liverpool has been made by the hon. and learned Member for the Exchange Division, and it was this, that Liverpool has been dotted—I think that was the word he used—all over with public-houses in every street and even on every side of every street. But who is responsible for that state of things? Not the Tories of Liverpool—certainly not the Tory Town Council, for they have nothing whatever to do with it. It was the Liberal Magistrates of the borough of Liverpool who granted licences indiscriminately in every part of the town, and who placed no restriction upon the issue of those licences except that the man who applied should be of good character. The leading spirit in that social revolution, which has since been universally condemned, was no other than the brother of the present leader of the Party to which the Member for the Exchange Division belongs. And so if we go through the whole history of Liverpool in its municipal administration it will be found that in whatever charges are imputed to the Conservatives of this generation they have simply been imitating, and I am afraid not improving upon, the bad



example of their predecessors. There has been frequent reference to "gerrymandering"—an Americanism which I am sorry to find introduced into the serious Debates of this House. I think the charge is still more serious when it is imputed to the Commissioners that they, at any rate, were subject to any extraneous influence, and did their duty otherwise than with impartiality and independence. Certainly it is a new revelation to Liverpool men to hear that the distribution of the Divisions of Liverpool was other than thoroughly impartial, independent, and judicious. It has been more than once said that the Liberal Councillors at the present time are in the majority in the Town Council, and therefore that the object of the Bill is to alter that state of things by which the majority may be maintained. But the Liberal Party are in a majority in that Council by reason of, and through the very means of, those inequalities which we are desiring to correct by this new legislation. But I am afraid it would be very uninforming to deal in detail with all these objections and these mere *tu quoque* arguments with reference to those various political parties, and I should like if possible to bring back the House to a more serious and general view of this problem. The first point, I think, to be ascertained is, what was the object and the principle in the mind of Parliament at the time when the Municipal Reform Act was passed? We have, then, to see how this principle was applied in the legislation of that period, and to consider, in the last place, how far this principle is now in force in the municipal administration, not only of Liverpool, but in other parts of the Kingdom. I think, if we go back to the Debates of 1835, we shall find a good deal of information, not only with reference to the principles upon which that legislation was based, but also as to the objects that were in view in dividing municipalities into wards, and that seems to me to be the primary object of the discussion to-day. Now, Lord John Russell, who had charge of the Bill, laid it down as a guiding principle that it was to bring the municipal system into harmony with the Parliamentary system which had been just before reformed. He said—

*Mr. Willox*

"The measure we propose, in my opinion, is in strict accordance with the spirit and intention of the Reform Act."

That is the Reform Act of 1832. If that was the object of the framer of the Municipal Reform Act, we have to consider how far that harmony is now maintained. Well, the Legislature has twice altered the principles, and in some cases the divisions, of Parliamentary constituencies in different parts of the country. In Liverpool, for instance, in the interval from 1832 to the present time, we have had an increase of Parliamentary representation from, in the first place, two to three Members. That must have been with the object of doing justice to the increased population of the city. We have since had that number augmented to nine, and we have had the city portioned out into nine different constituencies, the guiding principle in the arrangement being to secure as far as possible an approximately equal number of electors in each division. Now, while Liverpool has had this adaptation of local requirements in Parliamentary affairs it has remained absolutely stagnant and unreformed in municipal affairs. That stagnation is due to the fact that it is impossible under the present law to secure a sufficient majority to set a good law in motion. As I have said, we have had the Parliamentary representation adapted to the modified conditions of the town, and to the increased number of people, and to the altered incidence of taxation. But we have had no such adaptation of municipal affairs to the same end, and yet the changes that have occurred in the municipal administration of a growing and developing city like Liverpool are rather in municipal than in Parliamentary affairs. When we go back to the portioning of the municipal wards in 1835 we find that the principle then adopted was precisely that which Lord John Russell laid down during the Debate on the Bill. Lord John Russell, in reply to Lord Stanley on that occasion, said—

"His hon. Friend asked what was the principle which Her Majesty's Government intended to adopt with reference to dividing boroughs into wards. In the first instance, it would depend upon the wealth and population of the place. Undoubtedly they would, to a considerable extent, adopt the principle of



population in making the wards. That is, they would not do so unless they contained a certain extent of population. He should be sorry to divide a borough into wards where the number of votes were so few that they were likely to be influenced. In that case it would produce a jealousy which would be most pernicious."

Lord John Russell laid down a sound principle, and he applied it at that time in a sound way in Liverpool by equalising the population and taxation in the various wards of the town. But the whole position of the town has changed since then. The population was almost entirely centred in the middle of the town, called the parish. The surrounding townships were little more than gardens and agricultural land. The population has decreased in the centre, and enormously multiplied in the outskirts; and yet there has been no attempt to adapt the representative system to the altered conditions of the town. That, I think, is a very flagrant injustice, and no accusations or charges between political parties can overcome the fact that great political injustice is done to the popular element in the constituencies, because we have a population in one ward of about 3,000 inhabitants enjoying a representation equal to a population of 176,000 in another ward. So that, while the Party on the opposite Benches are claiming impartiality and justice all round, they propose to perpetuate a state of things which is entirely indefensible. They themselves, in local affairs, have never attempted to justify the principle or the inequalities of the present system of representation. They have always evaded it by some pretence that an accompanying reform was also needed, or that it was inopportune for their political exigencies; but in every case where the constituency consists of tens or twenties of thousands, the Party which has been reproached for dominating Liverpool commands the representation. It is only in the effete and small central wards that the Liberal Party, by means of their restricted constituencies, are able to secure their majority of elected members on the Council. Challenges have been made by the opposite side, and I have no hesitation in accepting one of them—namely, that if all political parties will concur in apportioning the representation of Liver-

pool into anything like equal electoral districts, the Conservative Party, at any rate, will not shrink from the issue of such a trial. But they cannot maintain any fair representation, either of their Party or of justice to the masses of people whom they represent, while the present unfair system obtains. There have been numerous detailed references to Liverpool which I think need not be entered upon further, because the special criticisms that were directed against the town by the hon. Member for Leicester were, by anticipation, met by his venerated father, a citizen of Liverpool. He was himself a moderate man who desired to calm political partisanship, and he always did a great deal in that direction; but while he was moderate in his politics, he was no less a partisan in municipal matters than the Party who are now reproached for that as an offence. But the claim I desire to make on behalf of the constituency of which I am the Parliamentary Representative, but which constitutes only one-third of the municipal division, is that this number of 176,000 people who constitute the municipal constituency of Everton shall not be overborne, as they are now, by the vote of a small and decaying municipal division in the centre of the city; and I am quite sure that this principle, actively applied in Liverpool, will be no less beneficial in other parts of the country.

\*(3.43.) MR. SAMUEL SMITH (Flintshire): As an old member of the Liverpool Town Council and a former Representative of Liverpool, I may be allowed to offer one or two observations upon this Bill. I think the House now perfectly well understands that this is a Liverpool Bill. There is very little attempt made now on the other side of the House to disguise the fact that this Bill is introduced chiefly to affect Liverpool. ("No, no!") The hon. Gentleman says "No, no!" Can he point out any case where petitions have been made by other municipalities in favour of a Bill of this kind? The state of the House this afternoon shows that it is a Liverpool Bill. So thoroughly is it local that this might be supposed to be a debate going on in the Liverpool Town Council. Now, Mr. Speaker, I am not going to deny for one moment

that there are anomalies in the wards of Liverpool. I freely admit that they are unequally divided. It is quite true we have several wards with a small population, and others with a large population. I also admit that the small wards return mostly Liberals, and the large wards mostly Tories. These are undoubted facts. If the object of this Bill had been to remove all anomalies in the representation of Liverpool, it would have met with a cordial reception on this side. The fact is, Mr. Speaker, that Liverpool is in a peculiar position. I do not know any town in the Kingdom that resembles it exactly. One class of anomalies in Liverpool are balanced by another class. The Tory Party for fifty years have elected all the Aldermen. They have, by means of their majority, pitchforked the defeated Tory candidates at the municipal elections into Aldermanic Chairs, and we hold that that is a most unjust proceeding. The Liberals have availed themselves of the advantage of the present division of the wards not to overbear the opposite Party; they are not enabled to do that, but to have a fair representation on the Town Council. If you redress one set of anomalies and leave the other set untouched you make the position worse. If you adopt the principle of this Bill and leave the aldermanic system unchanged, the result will be not merely a Tory majority, but absolute Tory supremacy. Now, we on this side of the House are perfectly prepared to adopt a system which will redress all anomalies alike, and make the representation of Liverpool exactly correspond with the wishes of the people, but if this is to be carried out the Bill must be of larger scope. It must not merely deal with the re-distribution of the wards, but it must deal with the present system of electing Aldermen. The hon. Gentleman who has just sat down (Mr. Willox) alleges, I understand, that the present aldermanic system in the towns is the result of the action of the Liberal Party. So far from that being the fact, it was introduced in the House of Lords with the view of curbing the Liberal Party.

MR. WILLOX: I should like to correct my hon. Friend. I made no refer-

ence at all to the introduction of Aldermen into Town Councils by law.

\*MR. SAMUEL SMITH: I accept the correction. But, as I understood him, the hon. Member let it be supposed that we are opposing the action of the Liberal Party in 1835. Well, we are not doing so, but we are opposing the action of the House of Lords, which marred the Bill of the Liberal Party by injecting into it the present iniquitous system of electing Aldermen.

MR. MATTINSON: The election of Aldermen is regulated by the Act of 1882, and that was passed at the time the right hon. Gentleman the Member for Midlothian was in power.

\*MR. SAMUEL SMITH: I much doubt the thorough correctness of the statement just made. The present method was devised in 1835, and has not been altered since. Now, we on this side of the House would hail with pleasure anything like a just and honest method of dealing with these anomalies. We are prepared to support a Bill which will re-distribute the wards according to population, and place the election of Municipal Aldermen in exactly the same position as that of County Aldermen. That is a fair proposal. I do not see how anyone can charge us with opposing popular rights. While we are asking for the most full and complete regard for popular rights and representation, our opponents are asking us to remove an anomaly on one side which helps to balance an anomaly on the other side. We wish to remove both. Now, Mr. Speaker, allusion has been made to the character of the Tory government in Liverpool during the last fifty years, and a good deal has been said on both sides as to the merits and demerits of their methods of government. Now, I, for one, am willing to allow that in respect of those municipal matters mentioned by the Secretary to the Admiralty (Mr. Forwood), such as sewage works, paving, and sanitary matters, great and good work has been done. And no man has taken more pains or devoted more labour to municipal matters than the right hon. Gentleman himself. Liverpool owes very much to the right hon. Gentleman if you exclude all that relates to party questions. But he has been a most expert

*Mr. Samuel Smith*

Tory wire-puller, as all the world knows. The ascendancy of the Tory Party in Liverpool has been in the main caused by its alliance with the drink interest. The most powerful supporters of the Tory Party in Liverpool have been the publicans, and I venture to state that no town in England has been so cursed by the drink traffic as Liverpool; and if you were to search the United Kingdom through, you could not find a town that contains more squalor and misery. Many causes have contributed to produce this result, but the one cause which stands out above all others is the frightful intemperance which curses large sections of the population. And, moreover, the fact remains that so long as the Tory Party had undisputed control of the city it was literally impossible to get any practical reforms in the methods of dealing with the drink traffic. It is a painful thing to have to state, but it is my duty to tell the House that during the time the Tory Party held undisputed predominance the position of Chairman of the Watch Committee was held by a gentleman who was solicitor to two of the largest drink sellers in Liverpool, drink sellers who between them owned 130 or 150 public-houses in the city.

**MR. FORWOOD:** If the hon. Member will allow me to put one word in, I will say that the gentleman to whom he refers has denied the statement.

**\*MR. SAMUEL SMITH:** Does the right hon. Gentleman deny that Mr. John Hughes was solicitor for Sir Andrew Walker & Sons?

**MR. FORWOOD:** Yes.

**\*MR. SAMUEL SMITH:** That is the first time I have ever heard it denied; and I am unaware that the gentleman himself has ever denied it. I shall not retract my statements, without much better evidence than the denial of the right hon. Gentleman, for it is a matter of common repute in Liverpool that there has been the closest possible connection between the former Chairman of the Watch Committee, whose business was to direct the police and to supervise the public-houses—between that gentleman and the largest brewers and publicans in the city. There may be some petty quibble by which the right hon. Gentleman is able to attack my state-

ment, but as to the substantial truth of it I have no doubt, and I have never heard it denied. Since the Liberals have gained increased power in the government of the city we have had a great change for the better. There have been reforms in the management of the police and in connection with the Watch Committee, and I venture to say that the moral reform which has taken place in Liverpool during the last two or three years is almost unequalled. I do not believe so great a reform has taken place in any other town, and that reform has been contemporaneous with the growth of the Liberal Party (Ministerial cheers.) I understand those cheers to have reference to the action of the Liberal Party in the matter of free licensing 25 or 30 years ago. I do not defend that action—I have dissented from it all my life. It was, I think, a deplorable blunder on the part of the Liberal Party of that time, and I believe they disgraced themselves by identifying themselves with this system of free licensing. But the Liberal Party of to-day repudiate that policy. They are identified now with a policy of temperance and moral reform, and during the last few years have been able to achieve very satisfactory results. It is on this ground that I object to the passing of this Bill, the effect of which would be not merely to give simply a Tory majority—to which, perhaps, they are entitled—but which would give them an undisputed and complete supremacy for the whole of this generation. Therefore we make our protest against it, and we cannot withdraw our protest. But if the Gentlemen whose names are on the back of this Bill will withdraw it and present another Bill dealing with both sides of the anomaly, they will find us ready to give them our hearty support. But I trust the House will not allow itself to be made the tool of the Tory Party in one town, and pass the Second Reading of a Bill for which, outside Liverpool, there is absolutely no demand.

**\*(3.58.) MR. WILLIAM H. CROSS** (Liverpool, West Derby): I think we are indebted to the hon. Member who has just sat down (Mr. S. Smith) for the admirable speech he has made in favour of the Bill. He admitted that nothing

could be better than the government of Liverpool for fifty years past, and, as I understood him, he had no complaint to make of the Secretary to the Admiralty (Mr. Forwood) for his conduct of the affairs of the city. He further said that there is no doubt there is at the present moment a very great anomaly in the distribution of the wards of Liverpool, and the only palliation I understood him to offer was that there was another anomaly in the fact that Aldermen are allowed to vote for Aldermen, which he said to some extent corrected the other. The hon. Gentleman further told us that the Conservative Party are, no doubt, entitled to a small majority in the City Council. When we are told that the government of Liverpool is good, that the Tory Party is entitled to a small majority, and that there is a great anomaly in the present distribution of the wards, and when these admissions are made by an hon. Member who has himself been a member of the City Council and has been a Representative of the city in this House, the case against this Bill is once and for ever demolished. I should not, however, have risen but for a remark of the Member for the Scotland Division (Mr. T. P. O'Connor), who said there was no *bona fides* in this Bill, because if we had really intended to remedy an injustice in the distribution of the wards, we should have taken up the case of Belfast. I do not think I am betraying any confidence when I say that, after the Debate on the Private Belfast Bill, when the Member for West Belfast (Mr. Sexton) had appealed to the Government on this very point of the power to petition for the redistribution of the wards, I went to the hon. Member and asked him whether a clause in our Bill to the effect that the rate-payers might petition would meet his views. It is not for us to propose legislation to meet the case of Belfast; but I suggested that our Bill would be a move, at all events, in the direction desired by the hon. Member, and he said he quite approved of my suggestion.

MR. SEXTON (Belfast, W.): I did not realise that the Bill was to be confined to Great Britain, and still less did I realise that it was intended for the use of Liverpool alone. And I

may say, also, that I think the form of the proposed alteration would have been found inconvenient.

\*MR. WILLIAM H. CROSS: If the hon. Gentleman chooses to suggest a form, it is open to him to do so; but we cannot undertake to graft upon our Bill the many complicated clauses required to alter the Irish Act of 1840. We did not wish to close the door against Belfast, and we considered that if we inserted the clause to which the hon. Member agreed at the time, we should, at all events, make a step in the direction of his wishes. There is one other point. The hon. Member for Flintshire (Mr. S. Smith) said we had introduced this Bill practically without giving notice to any of the people most interested; that no petitions had been presented from municipalities in favour of it, and that it was solely a Liverpool Bill, and ignored and disregarded every other municipality. The representative association of the municipalities, the Association of Municipal Corporations, have been consulted with respect to this Bill at every step. They had the original draft of the Bill; they had copies of every alteration. We have been in correspondence with them, and no doubt every borough throughout England knows the position of this Bill. And when the hon. Member says that no borough has petitioned, I say that is again another strong argument in favour of the Bill, because if these boroughs had objected to the Bill, they are represented by gentlemen who are capable of making their views known. And as there has been no petition from any quarter except the Radical minority of the Liverpool Town Council—for every name amongst those hon. Members in opposition to this Bill is the name of some one connected more or less with the Radical minority in Liverpool—I think we may claim that the hon. Gentleman has supplied us with most cogent and powerful arguments in favour of our Bill. Once for all, I do not think hon. Members opposite will have persuaded the majority of this House that a state of things ought to exist in any town, whether it be Liberal or whether it be Tory, in which one single ward with one-third of the whole electors returns only one-sixteenth of the whole number of repre-

*Mr. William H. Cross*



sentatives. I hope, on the contrary, that hon. Gentlemen having heard the arguments advanced, the House will make one step forward in the direction of removing from the municipal administration one of the most crying anomalies that exists in this country.

(4.8.) MR. COMMINS (Roscommon, S.): It has been said that this Bill was introduced not in the interests of one Municipality, but of all. How has that interest been shown? Not a single borough has petitioned in its favour, not a single Member for any of the large boroughs has spoken in favour of the Bill, and not a single one is now in his place watching its progress. They know very well that this measure does not concern them, and they take no notice of it. It is a measure that is introduced for the benefit or otherwise of Liverpool, and for the benefit or otherwise of a political party in Liverpool. The hon. Member who introduced this measure seemed to deprecate opposition to it in the same way that the nurse in "Midshipman Easy" deprecated any criticism of the baby on the ground that it was a very little one. But I do not think this is a very little measure. It will introduce an element of disunion, dissension, and turmoil into the Municipal Corporation, and will encourage the political element which many think ought to be excluded. The Bill actually proposes that at any time fifty members of a ward may bring about a re-distribution. And why? For a political purpose; no other reason is suggested. If one Political Party is dissatisfied with the result of an election, fifteen Members can be got to sign a petition to Her Majesty in Council for a re-distribution. Such a state of things is not part of the law or Constitution of this country, and the present system does not cause anything unfair to the minority. In Liverpool the Liberals and Conservatives are about equally divided; there may be in the whole constituency four per cent. more Conservatives than Liberals, but several elections have negatived that; as a matter of fact, nobody can tell on which side the majority lies. But there is no pretence for saying the member for Pitt Street Ward does not represent the public opinion in the ward. Whether the ward has 1,000 inhabitants like Pitt Street, or 100,000

like Crickdale, the Councillor will be representative of the public opinion which elects him. The grievance is altogether imaginary. How is it that the Corporation of Liverpool has not petitioned in favour of the Bill? The Conservatives have a majority on the Corporation. Why did they not get up a petition in favour of it? Why did they not get up a petition in favour of abolishing the Aldermen or of putting their election on the same footing as that of the Councillors? Why did they not get up a petition in favour of equalising the wards? They recently got up a petition in favour of local option; why did they not put re-distribution of the wards in that? It was simply because the electorate and their representatives on the Council are utterly indifferent on the question; and if the present state of things constitutes a grievance, they will not take the slightest trouble to alter it. There is another reason behind it. There are four different rating districts in the City of Liverpool, and each is rated according to its own expenditure, and the outside wards—the ones which complain—pay a considerably higher rate than the inside ones. The difference is as much as 30 per cent. These rates are levied under an Act of Parliament, and cannot be changed by the Corporation, but re-distribution would alter the machinery for levying these rates, and render the working of the measure almost impossible till there was equalisation of rating by which these large outside wards would be able to shift part of their rates on to the shoulders of the inside wards. I quite understand why no allusion has been made to that, for there would have to be a supplementary Bill to equalise the rates and saddle the inner wards with 30 per cent. of the rating now borne by the outside wards. There is no suggestion that the present rating is unjust; it is according to the expenditure; but the re-arrangement of rating would be unjust to the inner wards, in which are the great shops, the great manufactures, the great warehouses, on which the shipping of Liverpool so much depends, and the business places of the great commercial men on whom depends the wealth, enterprise, and prosperity of Liverpool. They are the people interested in the smaller

inner wards, and they are more interested in the rating than are the inhabitants of the outside wards. The latter consist of third, fourth, and fifth-rate streets, of cottage houses, rated at £25 a year, whereas the average rating in the inside wards is £94. These inside wards are interested in seeing that this measure is not passed, as it would do them great injustice and impose on them rates for the benefit of the outside wards. If, however, there were equalisation all round that would deal with several anomalies—the question of the Aldermen as well as that of rating. If they were settled much of the objection to the re-distribution of wards would disappear. I have been in the Council for 20 years, and I remember when there were only 17 Liberal members on it, which left the Tories with more than a two-thirds majority. Why did they not then carry out the re-distribution? It must have been because they did not choose to do so. For the last 50 years the Tories have had a distinct majority of the elective members to which they added the 16 Tory Aldermen, but they never attempted the change. Now that they feel their majority is diminishing they attempt it. They did attempt it in 1890, when they promoted a Private Bill for the re-arrangement of wards and boundaries; but they were not able to prove their case before the Committee upstairs, and the Bill was lost. That is not the only Private Bill in which they might have had the question settled. During the last 20 years they have promoted almost as many Private Bills, at great cost; but they have never introduced into them provisions for a re-distribution of wards as they might have done. They do it now to make a cry to go to the country with at the approaching General Election. They want to say that they are the friends of the working man; that they want to extend the rights of popular suffrage, to show that one vote is as good as another. Why, if they are such friends of the popular vote, have they no provision in the Bill dealing with the Aldermen, and putting a stop to their election by Aldermen? Let there be some semblance of popular election in their case. I promise them that if this Bill goes any further there will be a provision for that purpose

*Mr. Commins*

introduced. The hon. Member for Flintshire (Mr. S. Smith) has spoken of the activity, energy, and earnestness which the Secretary to the Admiralty (Mr. Forwood) has shown on the Council. No man has been more efficient or has contributed more, in my time, by his energy and ability to the improvement of sanitary and other local matters than he has done. But that is no reason why he should now, indirectly and under cover, be able to foist upon us sham reforms which have only one object, and that is now an undisguised object—to get if possible a lease for 50 years more the power which they have abused in the grossest way during the 50 years that they have already possessed it. They have never during that time elected a single Liberal Alderman. It is true that Birmingham has excluded Tory Aldermen, but two blacks do not make a white, and I say that state of things in Liverpool is disgraceful. The father of the hon. Member for Leicester (Mr. Picton) served on the Liverpool Council with ability and energy for nearly a lifetime, and his name is associated with whatever is worthy of notice in Liverpool, yet, though he was proposed again and again as Mayor and Alderman, they could not even elect him as an Alderman. I think, therefore, the Tory monopoly of electing Aldermen would be sufficient reason, without any other, for opposing the Bill.

(4.15.) MR. CONYBEARE (Cornwall, Camborne): I move "That the Question be now put."

\*MR. SPEAKER: The Debate is being conducted in a fair and legitimate manner, and as there is an evident desire to continue the discussion I cannot accept the Motion of the hon. Member.

MR. ROYDEN (Liverpool, West Toxteth): Hon. Members have spoken of the Bill as if it were a Private Bill, and I regret that, because Liverpool, instead of bringing in a Private Bill, and merely consulting its own interests, promoted this Bill, having in view a larger area, and desiring that the same justice should be done to other towns in a similar position. The last speaker said that these other boroughs have shown no interest in the question. On the contrary, I have had letters from various places rejoicing that Liverpool

had taken a stand, and was endeavouring to put this matter straight. If we want further proof we have only to look what hon. Members have expressed their opinion against the Bill, for I think we may accept it that all those who have anything to say against it have been careful to do so. I have been astonished at what the hon. Member for Flintshire (Mr. S. Smith) and the hon. Member for Roscommon (Mr. Commins) have said with regard to the Council. I have had the honour of being a member of the Council for some years, and I am bound to say that the conclusions at which those hon. Gentlemen have arrived are not such as commend themselves to my judgment. We have heard a great deal about the corrupt management of Liverpool. But it is a most extraordinary thing that when the City Council came before the Commission for an extension of boundaries, it was a subject of congratulation by the members of the Commission that the revenues of the city had been so well administered and the wants of the city so well attended to. If Liverpool with its great prosperity, its fine buildings, the spirit of enterprise among its people, and its wonderful advance in regard to health, is a specimen of mismanagement by the Tory or any other Party, my only regret is that there is not much more such mismanagement in regard to other towns. The fact that Liverpool has been dominated for fifty years by the Tory Party is a great triumph for that Party. But will it be believed that there is not a single committee of that City Council on which there are not a good many of the Liberal members of the Town Council sitting? They have a share in all these things. I do not grudge it to them. They have a right to their share. In 1835, when the city was portioned out for municipal purposes, the manner in which the wards were laid out, having regard to the number of the electors, of course the central wards of the city were more or less covered with houses, and were a small area, whereas the outlying districts were, by reason of the sparseness of the population, a very large area. In the 50 years that have elapsed the city has grown, and the vacant spaces have become covered with houses, which are

almost entirely occupied by the working population. There has, consequently, been a great increase in the number of the electors in these outlying districts. If hon. Gentlemen opposite believe in the doctrine which they are constantly putting forward in this House and upon public platforms, that the interests of the working men must and ought to be considered, they should join with us in giving the working classes in those districts an opportunity of expressing their opinion on the government of the city. My hon. Friend opposite the Member for Flintshire has pointed out that it is due to the Liberal magistrates that many public-houses were thrust upon the city, and he, as well as I, greatly regret it. But I would recall to his memory that when the Conservative magistrates were predominant on the Bench, their study was to diminish the number of public-houses in the city. I look forward, however, to a better state of things in this respect being brought about by a better feeling on the part both of the Liberal and Conservative magistrates on the Bench. We were taunted by the hon. Member for Leicester (Mr. Picton) that we had used our power arbitrarily, and had refused to elect Liberal Aldermen; and yet he confessed that in most of the English towns the Liberals had always elected Liberal Aldermen.

MR. PICTON : I beg the hon. Member's pardon. On the contrary, I gave an instance of a Radical Council electing a Tory Mayor.

MR. ROYDEN : But I do not think the hon. Member alluded to Aldermen.

MR. PICTON : Yes.

MR. ROYDEN : But certainly, so far as my experience goes, where there is a Liberal majority in a Council Liberal Aldermen are elected by them. I venture to say that where any prominent citizen has rendered distinguished service to the city we have always recognised and acknowledged it. But, as I have said, I prefer to treat the Bill on general principles. I feel that a great injustice is being done to the working classes, especially in Liverpool, by the way in which the wards are gerrymandered. They were not originally; it is only the present system that causes it. The hon. Member for Roscommon (Mr. Commins) says he be-



believes it would make very little difference. If that is his opinion of this Bill, if he really believes in the truth of his sentiments, why does he not leave it to the vote of the whole people of Liverpool, and allow them to test it? We are quite willing to accept that test. We have simply the good of the city in view. I think it was one of the doctrines of the Liberal Party that in the same town equal electoral districts should exist; but it appears that that is only a principle, to be adopted when it is supposed to be in favour of the Liberal Party. We, on the other hand, are ready to act for the whole country. Therefore, we have included the boroughs of England and Wales within the scope of this Bill. We believe in doing justice to the people of Liverpool, as well as to the people of the rest of the country.

(4.41.) MR. STANSFELD (Halifax): I have listened to this Debate with considerable and increasing surprise. The Bill which has been introduced to us to-day affects and purports to be a Bill, and is a Bill, which proposes to deal with the law as it concerns and affects every Municipal Corporation in the country. But the names on the back of the Bill are local names—Liverpool names; the whole Debate has been carried on and the speaking has been done by Liverpool men, or by men interested in Liverpool. It seems that it was originally intended to limit the Bill to Liverpool; but, as it was found that that would not do, it was then extended to the whole country. I say, therefore—and it cannot be denied—that this is a Bill of Liverpool origin; its origin, so far as I can judge, is a Liverpool Party squabble. But it may be said that whatever may be the origin of the Bill, and whatever may be the motive of those who have introduced the Bill, the question for the House is—is it a good Bill? I will address myself to that question, and I have no objection to deal with that question. I look upon this Bill with some suspicion, because it is a local Bill; but I have no objection to it because it is a Party Bill. I am not sure whether I am correct, but I am under the impression that a Bill of a somewhat similar kind with regard to Bristol was introduced some 20 years ago. It was certainly opposed

by many leading Conservatives of that day, but it passed through this House. When, however, it got to another place and came under the keen, scrutinising eye of Lord Cairns that Bill was heard of no longer. Well, I think that is a good precedent, at any rate, for the Tory Government and the Tory Party. They have no need to go to another place; they have the power in this House, and I hope they will not pass a Bill of this kind, for they could not get a worse method in the shape of a Bill for dealing with the subject itself. This is a subject of considerable public interest; it concerns a serious alteration which it is proposed should be made in the Municipal Corporations Act. And my first proposition is that this is not a Bill which ought to be brought in by private Members, and that the Government should not give any show of support to a Bill for which they will not take the direct and original responsibility. I say distinctly that, according to Parliamentary precedent and the right notion of legislation, this is a subject, the dealing with, I will not say the tinkering with the Municipal Corporations Act is a subject which ought to be taken up by the Government of the day, and not by any number of private parties, more or less supported by the Government. I object to this Bill, because it is only a proposition. It proposes to allow a bare majority, instead of a two-thirds majority, of the County Council to petition Her Majesty for a new division and re-division of a borough into wards. The Municipal Corporations Act not only provided that there should be elected Councillors, but also that there should be Aldermen who were not directly elected, being about one-third of the number of Councillors. Under these circumstances, it was very intelligible and highly reasonable, it appears to me, that there should be this two-thirds, because that would render it practically impossible that a proposal of this kind should be carried against the will of the majority of the elected members of that Council. A number of suggestions have been made, but no response has been given. I think the right hon. Gentleman the Secretary to the Admiralty has expressed his own individual opinion that Aldermen should



not vote on a question of this kind ; but I did not understand him to say that he proposed to insert an Amendment to that effect in this Bill, if the Bill passed the Second Reading and came into Committee.

MR. FORWOOD : I intended merely to express my own view on the subject, and I said that I would give my own assent to the proposal that the principle adopted in the case of Aldermen in counties should also be adopted in the case of municipal boroughs, and that, if it could be agreed to insert a clause to carry out that object, such a proposal would have my sympathy.

MR. STANSFELD : But I would point out to the right hon. Gentleman that he does not pretend to speak on behalf of any other Member of the House. He merely expresses his own opinion ; and hence he must allow me to say that such an expression of individual opinion is not a guarantee that the Amendment or clause, which would have his assent, would be certain of being adopted. But the view I take of it is this. This Bill raises the question again of the existence of Aldermen as part of the Municipal Corporations of this country. I would remind the House that the Liberal Party was not in the past responsible for the creation of Aldermen ; and I say that the position of the Liberal Party now with reference to this question is that we believe—it certainly is my own personal opinion—that no change of this kind ought to be made or attempted with regard to the Municipal Corporations Act, unless, at the same time, Parliament addresses itself to the question of the position of Aldermen on these Councils, and either renders them directly elective or abolishes them as Aldermen and makes them elected Councillors like the other representatives of that body, or, at all events, introduces a clause which shall prevent them from voting on questions upon which they ought not to interfere with the wish of the majority of the elected members of that Council. The Government, I presume, are about to speak. I understand the Under Secretary of State for the Home Department proposes to address the House. I hope he will tell us distinctly the views of the Government ; I hope he will tell us how far the Government intend to make itself re-

sponsible for the proposals of this measure. I say, so far as our view is concerned, it would be in accordance with precedent and the best usage of this House if the Government would either leave this Bill to its fate, in the hands of those who have brought it forward, or take it bodily in charge, and deal with it on their own responsibility. I hope the hon. Gentleman will enlighten us on that point.

\*(4.49.) THE UNDER SECRETARY OF STATE FOR THE HOME DEPARTMENT (Mr. STUART WORTLEY, Sheffield, Hallam) : I agree with the right hon. Gentleman who has just sat down that it would be far better if Bills of such far-reaching scope as the Bill now before the House were taken in hand by the responsible Government of the day. But we have to deal with the Bill as it has been brought before us. In speaking of the Bill in the absence of the right hon. Gentleman the Secretary of State for the Home Department, I must be understood to express, on the part of the Government as a whole, no collective, corporate opinion, except that they wish this Bill, which has not been undertaken by themselves, to be left to the free judgment of the House, and do not desire to put any pressure upon their own supporters. That is the only collective opinion which the Government wish to express upon the Bill ; but it is necessary that I should explain to the best of my ability the way in which this Bill strikes me, and the effect it appears to me to be likely to have. This Bill appears to me to have started on a branch line, and never to have got into any main current of Parliamentary thought until the speech delivered by the right hon. Gentleman who has just sat down ; and it comes with but very poor recommendations to this House when we see that it has on its back the names of Members representing one borough and one borough alone. I do not say that Liverpool is the only borough in which there is an injustice. I believe in the borough which I represent a similar measure might be demanded, and if demanded successfully would be hailed with much satisfaction by members of the Party opposite. Therefore, we cannot on the sole ground that this Bill comes from Liverpool reject it as being a

purely local measure. My own view is that it recognises the existence of an imperfection in our law, which is undoubtedly a substantial imperfection. We must go back to 1859, to see what was the mischief which Parliament was seeking to remove, what were the remedies which Parliament sought to adopt, and what were the methods by which Parliament sought to carry out those remedies. The mischief aimed at was that the constitution and composition of a municipal Council should not be manipulated by a mere Party vote. It was against that possible abuse that security was sought to be taken, and the method by which that was to be carried into effect was by requiring a two-thirds vote of the Council that had been constituted under the Act of 1835. But unfortunately I do not believe that in adopting that peculiar *modus operandi* the House really took the security which it was seeking to take. What I believe it ought to have done was to have secured that petitions should be framed by two-thirds or some other substantial and preponderating majority, not of the Council but of the electorate from which the Council derives its power. I believe that was their object, and I believe that Parliament at that time failed to foresee that this one-third of the Council which might stop the way of the redivision of the wards of the borough might possibly consist solely and entirely of the representatives of what we may call the over-represented wards—resisting the claim of the under-represented wards. That is the situation which my hon. Friends the Members for Liverpool complain of, and I must say they come before this House entitled to much sympathy in respect of the remarkable anomalies which they present to our attention. Now, I observe on the part of the right hon. Gentleman opposite, and other Gentlemen who have preceded him, a disposition to proceed to a sort of barter in this matter. It is suggested that against this two-thirds majority might be exchanged some more or less substantial part of the powers of the members of the Council called Aldermen. That offer is based upon this consideration: that to a certain extent, and in some rough and imperfect way, the institution of Aldermen serves as a counterpoise

to the possible inequalities in representation such as exist in the case of Liverpool. In the case of Liverpool, there are over-represented wards which are represented by members of one political colour. It is contended to-day that this monopoly is roughly counter balanced by the fact that all the Aldermen are of an opposite political character. It seems to me that the two-thirds majority and the existence of the Aldermen have no real connection with one another for this reason, that if it came to a question whether the Council should present a petition for re-arrangement of wards, it does not follow as a matter of necessity that all the Aldermen would be on one side in that debate. And again, we can quite conceive the situation—it may even happen in Liverpool—in which all the small and over-represented wards may be upon the same side as the Aldermen, and an absolutely insignificant minority of the citizens might thereby obtain not merely supremacy, but almost permanent supremacy over the majority of the ratepayers. Therefore I must enter here a necessary caveat against allowing that there is any connection between the question of the existence of the Aldermen and the question of the *modus operandi* of presenting petitions to the Queen in Council. I must reserve myself by saying I am not authorised to give any pledge with regard to any scheme to modify or get rid of the institution of Aldermen, which it may be hereafter sought to tie round the neck of this Bill. I am going to vote for the Second Reading, though I think there is much to be said upon the particular methods by which the proposal is to be carried out. This Bill makes it possible, by a mere party vote, to set going the machinery for the redistribution of the wards. Is that right, or is it not? We are told that there lies behind this power of the Council as a security the responsibility of the Secretary of State of the day, and, further, the impartiality of the Commissioner whom he would send down for the purpose of local inquiries. I do not feel quite satisfied that these are sufficient securities. I suppose that this House will not be less disposed than I am to admit

*Mr. Stuart Wortley*

that even Secretaries of State may have their frailties and leanings, and I can quite conceive a situation in which the majority of a Town Council of a particular political colour may take advantage of political relations with a sympathetic Secretary of State, who may be only too ready to forward their political views. I come next to the question of the position of the Commissioner appointed by the Secretary of State; but before doing so let me remind the House what is the nature of the question which is most frequently at issue in these disputes of Town Councils as to the arrangements of the wards and the proportion that each should have in the representation. If hon. Members will turn to the section in the Municipal Corporations Act with which we are now concerned, they will see the Commissioner is obliged to have regard in re-dividing the wards "as well the number of persons represented in the ward as to the aggregate rating of the ward." In other words, in the result there are to be two factors—numbers and rateable value. Now let hon. Gentlemen opposite conceive a state of things in which the composition of a Town Council was fair and equitable under a reasonable construction of that Statute, that numbers and rateable value each in proportion had fair representation—but let us suppose that the existing party majority of the Town Council were what you may call rateable value men as distinct from population men, and let us suppose that a Secretary of State were to take their petition, sent up upon the vote of a bare majority, so far as to proceed to the appointment of a Commissioner. Well, Sir, it is not necessary to impute anything that would not be strict impartiality or anything that would be a reproach, but the Commissioner would be more than human if he did not feel he was bound to do something, to make some alteration in the state of things, and yet that something must be something which—in the circumstances I have imagined to exist—would be an alteration of that which was fair and equitable and in conformity with the intentions of the existing Statute. I have stated what is the position of the Government with regard to this Bill, and I have ventured to indicate my own

opinion that though the objects of the Bill are good its proposed methods are faulty, and I think it is right that I should put a suggestion before my hon. and learned Friend in charge of the Bill. I have said that an absolute majority of a Council does not appear to be a satisfactory kind of way of deciding the question whether a re-division of wards should be embarked upon. It is admitted that a two-thirds majority of the Council does not act in many cases when there ought certainly to be a re-division. It would not, however, be correct to say that this requirement of a two-thirds majority has stood in the way to a very great extent in the presentation of these petitions, because I find that since the year 1879 there have been no fewer than 41 petitions granted. I suggest to my hon. and learned Friend that the true solution of this matter would be some provision that the petition should not be adopted except upon a two-thirds or, at all events, some substantial majority, not of the Council but of the rate-payers themselves either by a direct vote—which of course would be extremely difficult, and would require many clauses—or by a vote of the members of the Town Council actually representing two-thirds of the population. I offer that suggestion for the consideration of my hon. Friends; and while I promise my support for what it is worth to the Second Reading of this Bill, I must reserve the fullest liberty, both on my own part and on the part of right hon. and hon. Gentlemen on this Bench with whom I usually act, to see that the methods of this Bill are most closely scrutinised when we get into Committee and to take any course which may seem proper to us to render it more equitable and less unsatisfactory than it at present appears to be.

\* (5.4.) Mr. BRUNNER (Cheshire, Northwich): I desire to offer a few words of explanation of the reason why I withdrew the Amendment to the Second Reading of this Bill, which has stood in my name for a few days past. That Amendment was to the effect that no amendment of the law would be satisfactory which did not include a provision that Aldermen should not be allowed to vote in the election of Aldermen.



If that Amendment had stood upon the Paper to-day I understand the House would have voted upon it before it would have given a vote to the Second Reading of this Bill—it would have been necessary in order to arrive at a vote upon the Second Reading that that Amendment should have been decided first. Now, Sir, as I expected, we have heard from a representative of the Government—though he was careful to say he had no right to pledge his colleagues—that he will vote for the Second Reading. That would have put it out of the power of the House to consider at any later period of this Session the question of whether Aldermen should vote in the election of Aldermen. I am of opinion that the probability is that the House will hereafter consent to this Amendment, and abolish the vote of Aldermen in the election of Aldermen in Town Councils, as it has, by a unanimous vote, in the case of County Councils. For that reason, and that reason alone, I withdrew this Amendment of mine. The hon. Gentleman who has spoken for the Government—I beg pardon, the hon. Member who has just spoken from the Treasury Bench—has described the existing method of the law as an imperfect solution of the difficulties of this question of the re-distribution of wards in the boroughs. It is an imperfect settlement of the question, but for a reason which has not been mentioned in the course of the Debate. The reason is this, that whenever there is a large Party majority in a borough, that Party is perfectly content with the distribution of the wards. A large Party majority always wishes to preserve those conditions, and therefore will never alter the boundaries of the borough for fear of diminishing their Party majority. It is for this reason, and it appears to me a perfectly clear one, that the provisions of the law as they exist would be better altered. I have to make, in addition to what has fallen from the hon. Gentleman (Mr. Stuart Wortley), for the consideration of the hon. and learned Gentleman (Mr. Mattinson) representing the backers of this Bill, a suggestion or two, which to my mind will test the *bona fides* of the proposal as it has come from ~~these four~~

*Mr. Brunner*

Members for Liverpool. Will he consent that an instruction shall be moved, on going into Committee, that Aldermen shall not vote in the election of Aldermen, and that it shall be accepted by him and his colleagues? Will he consent to strike out of the Bill that very remarkable provision that fifty ratepayers shall be empowered to present a petition to Her Majesty for the redistribution of the wards, and then will he also consent that this Bill—I want the House to understand that, this is a perfectly accurate test of the *bona fides* of this Bill—shall not come into operation until the 1st January next. The position of political affairs in Liverpool has been aptly and fully described to the House. For the last three municipalelections, I will not say the Liberal Party, but the Party of Purity and Order, in Liverpool, has been gaining seats. I am very glad to acknowledge what has fallen from the hon. Member for one of the Toxteths that the Conservative members of the Town Council, equally with the Conservative Magistrates, have been at one on this question, but it is obvious to both political parties in Liverpool that on the 1st November next the Party of Purity in Liverpool will gain one more seat. The party then will be able to elect one-half the Aldermen. Then there will only remain the majority of elected representatives, the Aldermen being equal on both sides. I would further suggest that the Bill should not come into operation until the 1st January next.

MR. MATTINSON: I should be quite content that the Bill should not come into operation till the 1st January next.

\*MR. BRUNNER: I am glad to have drawn that concession from the hon. Member, but I desire to have the Bill amended in another particular.

(5.12.) MR. SINCLAIR (Falkirk, &c.): It has been said that the Bill has been too much dealt with as applying only to Liverpool; but I would point out that Liverpool has been merely selected as an instance of what exists in other places, although there the grievances are more serious than elsewhere. Now, the Everton Ward which has been referred to, is practically the home of the



Welsh in Liverpool, and yet the Welsh voters have only one-twenty-fourth part of the weight of representation that the Irishman who reside in the Pitt Street Ward have. That is surely a great anomaly, and one which ought to be redressed. In the discussion which has taken place, it has been admitted that this is an endeavour to remedy an injustice, but it has been urged that it ought not be redressed unless another injustice is removed at the same time. I desire the redress of this and other anomalies, and it is new to me as an old Liberal to find the Liberal Party opposing the removal of this grievance, on the ground that they cannot at the same time redress another grievance. Supposing they applied that doctrine to the carrying out of the Newcastle programme by attaching to it this condition: that they will redress none of the grievances referred to in it unless they can redress them all at once. I think that is a fair argument to use in the discussion of this question. I always thought that the Liberal doctrine was, "If you have a grievance redress it when you can." Here is, then, this great inequality which exists not only in Liverpool, but in various other places throughout the country. It has been brought before the House in the shape of a Bill, therefore let us deal with it and pass it into law. If also by any Amendment or Instruction it is possible to remedy the grievance in Belfast, I, for one, should be glad to see it done.

Question put.

(5.20.) The House divided:—Ayes 209; Noes 172.—(Div. List, No. 122.)

Main Question proposed.

It being after half-past Five of the Clock, Mr. Speaker proceeded to interrupt the Business:—

Whereupon Mr. MATTINSON rose in his place, and claimed to move "That the Main Question be now put."

Question put, "That the Main Question be now put."

(5.35.) The House divided:—Ayes 215; Noes 147.—(Div. List, No. 123.)

VOL. IV. [FOURTH SERIES.]

Main Question put accordingly, and agreed to.

Bill read a second time.

Motion made, and Question proposed, "That the Bill be committed to a Committee of the Whole House."—(Mr. Mattinson.)

Amendment proposed, to leave out the words "Committee of the Whole House," in order to add the words "Select Committee,"—(Mr. T. M. Healy,)—instead thereof.

Question proposed, "That the words 'Committee of the Whole House' stand part of the Question."

Objection being taken to Further Proceeding, the Debate stood adjourned.

Debate to be resumed To-morrow.

#### EDUCATION (SCOTLAND) LAW AMENDMENT BILL.—(No. 261.)

##### SECOND READING.

Order for Second Reading read.

MR. CRAWFORD (Lanark, N.E.): The sole object of this Bill is to apply to Scotland the provisions of the Day Industrial Schools Act which obtain in England. The Government have in two Sessions in the other House introduced a Bill of a larger scope, in which this object is included; but as there seems to be no prospect of such a measure being carried this Session, I hope, under the circumstances, the Government will not oppose the Second Reading of this Bill.

Motion made, and Question proposed, "That the Bill be now read a second time."—(Mr. Crawford.)

\*THE UNDER SECRETARY OF STATE FOR THE HOME DEPARTMENT (Mr. STUART WORTLEY, Sheffield, Hallam): I must ask the hon. Member not to press the Motion for Second Reading to-day. The proposal in the Bill was included in a larger measure introduced by the Government two years since, and my right hon. Friend the Home Secretary

is preparing a Bill for introduction this year. I hope the hon. Member will defer this Bill until either the House has had the opportunity of seeing the other, or it has become certain that such opportunity is not to be given.

Second Reading deferred till Wednesday.

#### GAS PROVISIONAL ORDERS CONFIRMATION BILL.—(No. 295.)

Read a second time, and committed.

#### CORN SALES.

Ordered, That the Select Committee be re-appointed to inquire and report upon the various weights and measures used for the sale of grain throughout the United Kingdom; the desirability of selling grain by weight only or by measure and weight and, in the event of either being considered desirable, the extent to which either might be enforced; the desirability of the adoption of a uniform weight, either for the United Kingdom or any part of it; if a uniform weight is desirable, the standard to be adopted; and whether there should be one standard for all kinds of grain; and, if not, what should be the standard for each kind.

The Committee was accordingly nominated of,—Sir E. Birkbeck, Mr. Esslemont, Mr. Farquharson, Mr. Gray, Mr. Seale-Hayne, Mr. Lewis, Mr. James Lowther, Mr. Maguire, Mr. Pease, Mr. Rankin, Mr. Halley Stewart, Mr. Mark Stewart, and Mr. Jasper More.

Ordered, That the Committee have power to send for persons, papers, and records.

Ordered, That Five be the quorum.—(Mr. Jasper More.)

#### PUBLIC ACCOUNTS COMMITTEE.

Second Report, with Minutes of Evidence, and an Appendix, brought up, and read.

Report to lie upon the Table, and to be printed. [No. 180.]

#### PUBLIC PETITIONS COMMITTEE.

Ninth Report brought up, and read; to lie upon the Table, and to be printed.

### MOTIONS.

#### MARRIED WOMEN'S PROPERTY ACT (1882) AMENDMENT BILL.

On Motion of Mr. Milvain, Bill to amend "The Married Women's Property Act, 1882," ordered to be brought in by Mr. Milvain, Mr. Cozens Hardy, Mr. R. T. Reid, and Mr. Gainsford Bruce.

Bill presented, and read first time. [Bill 337.]

*Mr. Stuart Wortley*

#### CORPORATIONS (STAMP DUTIES) BILL.

On Motion of Sir A. Rollit, Bill to amend the Law in relation to the stamping of documents under the seals of Corporations, ordered to be brought in by Sir A. Rollit and Mr. Roe.

Bill presented, and read first time. [Bill 338.]

#### ADJOURNMENT.

Motion made, and Question proposed, "That this House do now adjourn."

DR. TANNER (Cork Co., Mid): I take the opportunity to ask the First Lord of the Treasury a question about the Vote on Account, which the Government intend to take before Whitsuntide to cover the period until after the General Election. I wish to ask the right hon. Gentleman whether he has conferred with the Secretary to the Treasury, which he said the other day it would be necessary for him to do, and whether he can now state when the Vote on Account will be taken, and if any Votes on Supply will be taken before the General Election?

THE FIRST LORD OF THE TREASURY (Mr. A. J. BALFOUR, Manchester, E.): The hon. Gentleman is altogether mistaken as to the answer I gave him to a similar question he put to me on a previous occasion. I said then nothing about taking a Vote on Account over the General Election; in fact, I rather suggested the very opposite to such a proceeding. I said that probably a Vote on Account would have to be taken in accordance with the usual practice at this period of the year before the end of May; but to take a Vote on Account to cover a period of three or six months never entered into my thoughts.

DR. TANNER: If the right hon. Gentleman reads his words as they are reported in the *Times*, he will see that they bear out the interpretation I put upon them, that the right hon. Gentleman required the assistance of the Secretary to the Treasury in order to come to a conclusion as to the period I have mentioned.

Motion agreed to.

House adjourned at five minutes before Six o'clock.

## HOUSE OF LORDS,

Thursday, 12th May, 1892.

LOCAL AUTHORITIES (ACQUISITION  
OF LAND) BILL

NOW

MORTMAIN AND CHARITABLE USES  
ACT AMENDMENT BILL.

Amendments reported (according to Order); and Bill to be read 3<sup>a</sup> on Monday next.

CONVEYANCING AND LAW OF PRO-  
PERTY ACT (1881) AMENDMENT BILL.

## REPORT OF AMENDMENTS.

Order of the Day for the Report of Amendments to be received, read.

Title.

Amendment moved, to leave out ("with reference to leaseholds.")—(*The Lord Herschell*.)

Amendment agreed to.

Clause 1.

Amendment moved, in page 1, line 7, to leave out ("leaseholds.")—(*The Lord Herschell*.)

Amendment agreed to.

Amendment moved,

At end of Clause, to insert as sub-section (3) sub-section (2) of Clause 3, leaving out ("Section two") and inserting ("of this Section.")—(*The Lord Herschell*.)

Amendment agreed to.

Clause 2.

Amendment moved,

In page 1, line 21, to leave out ("the before mentioned,") and after ("fourteen") insert ("of the Conveyancing and Law of Property Act, 1881.")—(*The Lord Herschell*.)

Amendment agreed to.

Clause 3.

LORD HERSCHELL: My Lords, at the end of Clause 3, page 2, line 10, I move to add—

"But this proviso shall not preclude the right to require the payment of a reasonable sum in respect of any legal or other expense incurred in relation to such licence or consent."

I move it in conformity with an Amendment made in the Standing Committee

when I promised to bring up an Amendment in that sense.

Amendment moved,

In page 2, line 10, add at end ("but this proviso shall not preclude the right to require the payment of a reasonable sum in respect of any legal or other expense incurred in relation to such licence or consent.")—(*The Lord Herschell*.)

THE MARQUESS OF BATH: I wish to ask the noble and learned Lord whether, in the case of licences to assign for which the common custom is that a fee is paid, not a large fee, but a fee of a guinea generally, to an agent, would this Clause prevent that?

LORD HERSCHELL: It certainly would not prevent it. If anything had been done it probably would be that in that case the fee of a guinea to the agent for making any inquiry necessary with regard to the charges would not be precluded by this provision. It would be as the Clause stands; but it was to meet such cases that the proviso was put in.

\*THE PRIME MINISTER AND SECRETARY OF STATE FOR FOREIGN AFFAIRS (The Marquess of SALISBURY): My Lords, I understand that this Clause will not include the case of a special covenant to pay money in respect to assignment. The Clause as it stands I understand really to say that if there is only a covenant against disposing of land or property leased without licence or consent such covenant shall not carry with it, or be intended to carry with it, the liability to fine; but if there is a special condition inserted that a fine shall be paid I presume this Clause would not prevent it.

LORD HERSCHELL: I am not sure that it would; but I do not myself feel any responsibility in respect of this Clause, because the Clause, as it now stands, is one that was carried in opposition to my contention before the Grand Committee. But if the noble Marquess asks me, I am not sure that there might not be a possibility of its excluding a fine in such a case. If it is desired to preserve a fine probably it would be possible to do so by saying "unless otherwise expressed" in the lease.

\*THE MARQUESS OF SALISBURY: I think that was the intention, as I

understood it, of the Grand Committee, and I did not understand that that by itself was opposed by the noble and learned Lord. I think it would be better to insert words to that effect.

**THE LORD CHANCELLOR (Lord HALSBURY):** My Lords, I have not seen this before, but, as the Bill now stands, there is no doubt whatever that it would prohibit the receipt of any fine or money compensation even where the original covenant had expressly provided it; and, therefore, if it is intended to preserve the right in cases where it is expressly covenanted, it ought to be provided for so as to be beyond doubt.

**\*THE MARQUESS OF SALISBURY:** Would not the best way be to express it in words "unless there be special provision to the contrary"?

**LORD HERSCHELL:** "Unless special provision to the contrary is made herein."

**\*THE MARQUESS OF SALISBURY:** Have you any objection to that?

**LORD HERSCHELL:** None. Although I am responsible for the Clause, that was the intention no doubt of the Grand Committee. I think if the words are adopted in line 7 "unless the lease contains an express provision to the contrary" that will be sufficient.

Amendment agreed to.

**LORD HERSCHELL:** My Lords, there is only one other Amendment that I have to propose, which deals with a case much more limited than that which was dealt with in the Amendment which was rejected by the Grand Committee. It is intended to enable the Court to relieve against the forfeiture in respect of an assignment being made without licence, where the Court thinks it reasonable that such relief should be given, and in such terms as the Court thinks fit. My Lords, a provision of this description is entirely on the lines of previous legislation, because now in numerous cases,—in fact in the majority of cases, where there is a breach of covenant, which is expressed by the lease to give the right to forfeiture, the Courts have been given power by Parliament to relieve against the forfeiture on such terms as they think right, securing to the lessor that he shall not be injured by the act of the tenant.

*The Marquess of Salisbury*

My Lords, I venture to think that that may well be extended to the present case. No one of course would desire that the Court should relieve in any case in which the landlord's interest would be prejudiced by their relieving against the forfeiture, and I do not believe that if this Clause is passed into law, under this provision any more than under previous provisions by which the Courts have been able to give relief, any wrong would be done to the lessor. My Lords, not only is this Clause confined to power to the Court to give relief where it thinks fit, but it is limited to that class of cases where the lessee has himself a substantial and valuable interest under the lease; because it only applies where there are seven years of the lease yet to run, and where the rent which the lessee has to pay does not exceed one-third of the annual value; so that it only applies where really it is a valuable property to the lessee, and where therefore the lessee may be expected, to say the least of it, not to make any assignment which would be likely to be injurious to the value of the lease; because of course he has, for seven years to come, twice as great an interest in the property leased as the lessor has. Now I may be asked whether such a provision as this is necessary. Have there been cases of hardship, owing to the want of power in the Court to relieve against the forfeiture? My Lords, a case came before the Court of Appeal very recently, which undoubtedly was a case of great hardship, and which they felt to be a case of great hardship; but in which they could afford no relief. A valuable lease of premises in the City of London had been granted, and there was a provision that the lessee was not to assign without licence, but that that licence was not to be arbitrarily or unreasonably withheld. There was an arrangement made by which a portion of the premises was to be leased to a perfectly respectable tenant—that was proved and admitted. The matter was put into the hands of a solicitor to carry out; but, by an oversight of his clerk, permission was not asked of the lessor to make the assignment. There can be no doubt that if permission had been asked the lessor



would have given it, and, I think probably, could have been made liable if he had not granted it, because there was no doubt about the propriety of the proposed lessee, and the liability of the original lessee to the landlord still remained; so that his pecuniary interest could not be affected. He kept his liability of the original lessee under the covenant, and would get, in addition, the liability of the new lessee. No licence having been obtained, through an oversight, and the lease having been so assigned, the lessor brought and succeeded in an action to recover this valuable property from the lessee, and the Court held that it was powerless to afford the lessee any relief, although it was a mere oversight on the part of the clerk, and the landlord was in no way prejudiced by the proceedings. That seems to me a very hard case, and I would submit that that is a case in which the Court, not having the power, ought to have the power given it to relieve against forfeiture. I believe that that is not a solitary case by any means, and there is no doubt that there are cases in which, I believe, not infrequently these provisions about assignment are inserted rather in the interest of the solicitor to the lessor than of the lessor himself. There was another case brought before me in which also there was an oversight on the part of the solicitor in regard to asking for a licence. There were proceedings for a forfeiture, but the forfeiture was not finally insisted upon, upon payment of a considerable sum of money. Of that sum of money not half went to the lessor. There was a charge made for an alienation fee, but there were charges made in lieu of preparation of the licence of assignment in further charge, none of which of course had ever been required, by which the solicitor to the lessor obtained something like twenty-five guineas without anything having been done. Now it has been feared that, under a provision of this sort, the landlord might not have complete protection; but I think the Court may safely be trusted to give him that. It is quite clear that a lessee, coming to a Court to be relieved of forfeiture, would be required by the Court to show that the landlord could

not possibly be prejudiced, and the Court might, I think, be safely trusted to secure the landlord's interest in that respect, either by way of allowing the responsibility of the proposed tenant, or upon security that the premises should not be applied to any purposes to which they ought not to be applied. My Lords, these are the grounds upon which I ask your Lordships to assent to this Amendment, which, as I have said, after all only gives power to the Court to relieve, and only in a case where the interest forfeited is very valuable to the lessee. I had hoped that the Noble Marquess might have been induced to regard this Amendment, which is of much more limited scope than the one proposed in the Grand Committee, favourably; but of course, if he is unable to do so, although I shall regret it, I shall not certainly, after the Division which took place, propose to ask your Lordships to divide upon a proposal of this description. The main proposal was defeated, and I have made this smaller proposal to your Lordships; but, if the noble Marquess does not see his way to withdraw his opposition to that proposal, I shall not force the matter to a Division.

Amendment moved,

To leave out Sub-section (2) and insert as new Sub-section (2)—“Where a lessor is proceeding by action or otherwise to enforce a right of re-entry or forfeiture under any covenant, condition, proviso, or stipulation in a lease against assigning, underletting, or parting with the possession of the land or property leased without consent, the lessee may apply to the Court for relief, and the Court may grant or refuse relief as the Court thinks fit, and in case of relief may grant it on such terms as it thinks fit; provided that the unexpired residue of that term created by the lease exceeds seven years, and the rent reserved by the lease does not exceed one-third of the full annual value thereof.”—(*The Lord Herschell.*)

\*THE MARQUESS OF SALISBURY: My Lords, I think this matter is one of more importance than the noble and learned Lord opposite imagines: And although, after the announcement with which he has closed his speech, I might fairly abstain from troubling your Lordships with any observation, I think it would be more fitting that I should just briefly state why this seems to me to be a very dangerous alteration to make. It is an alteration which was

deliberately excluded from Lord Cairns' Act of 1882, the Conveyancing Act. There, while the Court was given power to relieve against several causes of forfeiture, where there was in the lease a prohibition against assignment, there the forfeiture was deliberately maintained. Therefore I think it can hardly be said that this is on all fours with recent legislation; on the contrary, it is directly opposed to the principle which recent legislation has adopted. But what I feel really is that it is applying to English leases the principle of free sale. We know what free sale is in Ireland—we do not want it in this country. Of course there may be grievances; there may be cases where the leases have been improperly framed or improperly administered. I do not for a moment wish to take up the position that on account of the landlords' rights I would resist any inquiry into some malfeasance or the adoption of any remedy that may be proposed. On the contrary, if the noble and learned Lord wishes to press for inquiry, so far as I am concerned, I shall be very glad to assist him in inquiring into the matter; but my contention is that a very wide and far-reaching change, a change of a character we know well by the experience of the sister country, is being introduced into our English law with absolutely no inquiry whatever as to the grievances needed to be redressed, or the mode in which they can be most conveniently met. Now the noble and learned Lord gave us the grounds on which he had acted. I listened to them with great curiosity. What were they? That an attorney's clerk, in drawing out a deed, had made a blunder, and in consequence great injury had accrued to the parties affected.

LORD HERSCHELL: I am sorry to interrupt the noble Marquess; but there was no blunder in drawing out the lease. The lease was drawn out in proper form. The blunder was in the oversight in not asking for the licence.

\*THE MARQUESS OF SALISBURY: But my point is that the grievance arose from the oversight of the attorney's clerk, and an oversight on the part of attorneys' clerks is a cause of human suffering which no action in this House

can possibly remedy. It is not that the law was wrong; it is not that the law was unjust; it is not that the deed was oppressive; it is that the attorney's clerk made a blunder, and that really is the summary of the whole case on which this alteration is asked for. Now my Lords, there is something very peculiar about this bit of legislation. It has tried to do good by stealth, and blushes to find it fame. Last year this Bill was sent up to us on the very last day of the Session. It was adopted by the noble Earl opposite (Earl of Kimberley), I think wholly unconsciously as to its importance, and he asked us—I do not complain of his conduct—to pass it through all its stages on a single day. I frankly confess that until he mentioned it I had not seen the Bill. But I earnestly pressed upon your Lordships, and happily with success, not to adopt such an alteration in the existing contracts without examination. This year the Bill passed through the House of Commons in every stage after half-past Twelve at night without the slightest discussion of its details. I do not know what the force is, but there is a very strong and silent force in favour of this Bill. I have no doubt that the noble and learned Lord who brings it forward has adopted it in all good faith, and I think I am merely tracing his action to that confidence in Judges which in him is natural and graceful, though perhaps he may carry it we think to an extraordinary and extravagant length. My Lords, what this Bill does is to put the Judge in the shoes of the landlord. If a landlord inserts into a lease a condition that assignment shall not take place without his consent, he is now the master to agree or to refuse. If this Bill passes he will no longer be the master to agree or to refuse; it will always be in the power of the lessee to go to a Judge and ask the Judge to revise the landlord's decision. Now the Judges, if you tell them what they are to do, are, in this country, absolutely to be trusted. We all of us are prouder perhaps of our Judges than of any other institution in the country; but the Judges have always shrunk from unlimited discretion; they have always asked that the law should tell them what to do, and then they will do it, and in-

variably do do it. But in this Clause there is no guide whatever to the Judge; he is not told on what ground he is to relieve, or not to relieve; on what ground he is to protect the interests of the landlord, or the interests of the tenant. All that the clause does is, crudely and roughly, simply to put him in the place of the landlord, and to say that the Judge shall decide whether the landlord shall be allowed to refuse the assignment or not. Now my Lords, my fear as to this discretion is that the Judge will treat it simply as a pecuniary question; he will simply ask himself, Is the landlord receiving any pecuniary injury? And I maintain that in the extensive relations which exist, the various and multifold relations which exist throughout this country between landlord and tenant, there are many other questions, besides those of mere money, that are brought up when the landlord is asked whether he likes to change one tenant for another. It does not follow that because the change can take place without any injury to the landlord's purse, therefore it is one that he counted on, or that will be agreeable to him, or that he ought to be properly forced to submit to. Suppose you have let your land for eight years for a very low rent, or suppose, what often happens, that a fine has been paid on entry. Under this clause a tenant will be able to assign his lease, of course for such a consideration that will pay the fine, and absolutely to take no notice whether the landlord cares to have the new tenant or not. I ask your Lordships as men who know the relations of landlord and tenant in the country, being landlords of farms, landlords of houses, and so on, whether it will not be a serious impediment to every kind of lease if this power shall be allowed? Is it not often the case that men will not desire to have a lessee who may be very satisfactory to the out-going tenant who never sees him again, but very disagreeable to the landlord, who will have to live by him for the rest of the term? I ventured before the Standing Committee to name three cases; they are cases which may all arise under this Clause, and they seem to me to be cases in which the landlord has the right to look for pro-

tection. I will take the first, the case of a villa owner who has bought a couple of houses, as they often are, semi-detached; he lives in one and lets the other, and has let the other on a fine—on a beneficial lease. It is a matter of very serious importance to him who is his next door neighbour, separated only by a fence between one garden and the other, and he has, no doubt, chosen somebody with whom he thinks he can live out his term very pleasantly. Is it fair, without his being asked at all, without his having any remedy whatever, that somebody wholly disagreeable to him should be put in? In the same way in county society there may be somebody introduced who may cause disunion where union existed before, and who is wholly unacceptable to the people among whom he is placed. Is it fair that the landlord shall not have the power to provide against such an event? And the third, and I think the most serious case is one connected with our laws upon public morality. By the Act of 1865 the landlord is made punishable if he has knowingly permitted his house to be used for an improper purpose. Supposing a lease has been given by fine, and supposing under this Bill it is proposed to assign the lease to somebody who is very strongly suspected of having this intention, under the existing law the landlord would simply refuse it, and there would be an end of the matter. But under the law, as it is proposed to be, he will have to go into court and prove the intention to use the house for an immoral purpose; and there is all the difference and distance in the word between knowing perfectly well that a thing is true, and being able to bring witnesses into court who can prove it according to the English laws of evidence. My Lords, on these grounds I say that *prima facie*, in the absence of all inquiry, there is no cause for destroying the rights of the landlord; there is no injury shown which we ought to remedy at so great a cost; and that, if there really is any case of abuse, any class of misdeed against which great objection is felt, the proper course is to ask for an inquiry, to bring the cases up before your Lordships' House, and to show that there is sufficient cause for some modification of the law. I have



no doubt that when sufficient cause is shown your Lordships' will be ready and willing to modify the law; but I maintain that, as no cause is shown, to do so would be both inexpedient and unjust. I, therefore, move that the new sub-section be not agreed to.

THE EARL OF KIMBERLEY: My Lords, the noble Marquess has alluded to the course I took last Session, and I wish to say a word partly in my own defence. The reason, as I stated at the time, why I undertook to bring that Bill before the House at what was no doubt the very end of the Session was that I understood, subject to correction, that the noble and learned Lord on the Woolsack was in favour of the Bill. It being a Bill essentially of a legal character I certainly could not have undertaken on my own responsibility to bring forward such a Bill at the end of the Session, unless I had had the belief that it was sanctioned by high legal authority. The noble and learned Lord has explained exactly his position in the matter, and I have not a word to say in complaint of what he said. I believe he generally favoured the Bill; but certainly he was not prepared to go to the full extent of recommending to the House at that moment that the Bill should pass; and, on finding that the noble and learned Lord had only given a qualified approval to the Bill, I of course did not persevere with it. My Lords, with regard to the present Clause I cannot help thinking that the noble Marquess has taken a somewhat exaggerated view of the whole matter. In the first place he said that we should be introducing free sale into this country. I entirely agree with the noble Marquess in deprecating the introduction of the principle of free sale; but surely this is not in the smallest degree the principle of free sale. That would be to say that in all cases where there was a covenant against assigning in a lease that covenant shall be held to be null and void, and that the tenant shall have the right, notwithstanding, to part with the lease to another tenant. But no such proposition as that is made. The proposition is merely to enable the Court to relieve the lessee from the consequences of what may have been an oversight.

*The Marquess of Salisbury*

The noble Marquess talks very lightly of the oversight of an attorney's clerk, and says that you cannot prevent the consequences of an oversight. That is exactly what we say you can do; because, if you pass a clause of this sort, you will prevent such an oversight as that. And surely everybody who is concerned with business must feel that it is a very great hardship if, when there is an oversight and nothing more, on the part of a person whom you employ to transact business which you cannot transact for yourself, we do not apply a remedy, if it be possible, to such cases. In the present instance what is the remedy proposed? Simply that remedy which exists in every case with regard to leases, except in the case of assignment, and the case of forfeiture on account of damage. The principle, therefore, upon which the Legislature has undoubtedly proceeded is to prevent the consequences of such an oversight, and to relieve the lessee from the hardship that he will incur. My noble and learned Friend (Lord Herschell) has pointed out to you that this is no imaginary case. A case came the other day as he said before the Courts, and the learned Judges in that case—who I suppose may be considered to be able to form an opinion upon a matter of that kind—gave it as their opinion that it was a case of extreme hardship, and they regretted that the state of the law was such that they could not relieve the lessee from the consequences. Why are we to distrust the Judges so much in a matter of this kind? It seems to me that supposing the proposition was made to sanction that assignment of the lease to such a tenant as the noble Marquess alluded to, who would be likely to misuse the lease, that would be a very valid ground of objection before the Court, and the Court would, I imagine in every case, require clear and ample proof that the tenant to whom the lease was to be transferred was such a tenant as could not do injury to the landlord's interest. My Lords, if the Court cannot be trusted to do that I should like to know what it can be trusted for? I should suppose that the interest of the landlord would be perfectly safe in the hands of the Court in that matter. Why should we refuse to cure this possible



hardship? My Lords, I also think that in the interests of lessors it is exceedingly desirable, in the present state of public opinion on the subject of long leases, that there should not be any hardship of this kind to tenants. I feel an interest in the preservation of the rights of lessors; I feel a personal interest in it; but, what is more important, I feel that it is a matter of public interest. I do not wish the rights of property to be injured—on the contrary I earnestly desire them to be preserved; but I am perfectly certain that nothing is so likely to make the preservation of the rights of property difficult as to push the matter to the extreme where hardship arises from the law. We want to preserve the substantial right of property; but we want so to frame our laws that they shall not incidentally produce hardship on those who hold property under a superior lessor. For that reason I regret that the noble Marquess does not see his way to the introduction of this limited and very guarded Clause of my noble and learned Friend. The noble Marquess of course is master of the situation, and therefore there is nothing to be done except, as my noble and learned Friend proposed, not to press the Clause further.

**THE LORD CHANCELLOR:** My Lords, I only wish to say that so far as I am concerned I think the noble Earl has a little over-stated what I said last Session. I did not express any approval of the Bill. I think the qualified approval that I gave was, when I was privately consulted upon the matter, that it seemed to me to exclude from its operation almost every lease whatsoever; and therefore I did not think it would do much harm.

**THE EARL OF KIMBERLEY:** Perhaps I may be allowed to explain that what I meant to say was that I understood that the noble and learned Lord was in favour of the Bill, and that that was the reason why I brought the Bill forward. The noble and learned Lord expressed his view afterwards in the House, which was very different from what I had been told.

Amendment negatived.

Bill reported as amended; and to be read 3<sup>d</sup> To-morrow.

House adjourned at a quarter after Five o'clock.

## HOUSE OF COMMONS,

*Thursday, 12th May, 1892.*

### PRIVATE BUSINESS.

**MANCHESTER, SHEFFIELD AND LINCOLNSHIRE RAILWAY (EXTENSION TO LONDON, &c.) BILL** (*by Order.*)

#### CONSIDERATION.

As amended, Considered.

\*(3.8.) **MR. PICKERSGILL** (Bethnal Green, S.W.): I rise to move the insertion of the Clause which stands in my name on the Paper, and I do so at the instance of the London County Council. It is, however, desirable that I should correct a statement which I find is made in the papers issued to-day by the promoters of this Bill, in which they say that the Clause I am now moving is identical with that which was submitted in Committee on the Bill. That is an entire mistake. I should not think it respectful to the Committee to propose here a Clause which that Committee had examined and rejected, and I should hardly think it prudent, having regard to the object I have in view. This which I now submit is a materially modified proposal, so much so, in fact, that it may be said to be a new Clause; and I, therefore, ask Members of the Committee and the House generally to give an unbiased consideration to the proposal I put forward. I shall not labour the point that if the Public Health Act and the Housing Act are to be effectually administered in London we must have an ample supply of cheap trains for workmen, in order to make it practicable for those whose livelihood has to be earned in London to live in the suburbs; and to provide, in part at least, for those persons who are displaced by the clearance of insanitary areas. I may quote one sentence from a communication on this subject received from Mr. Beachcroft, the Chairman of the Housing Committee of the London County Council. Mr. Beachcroft is not a member of the Progressive Party, although he enjoys, as I am sure he deserves, the respect of all parties, and therefore I think that his authority

will be accepted even by hon. Gentlemen opposite, who are most virulent assailants of the London County Council. Mr. Beachcroft writes—

“While we are waiting for the Board of Trade, London is becoming more and more liable to insanitary conditions from overcrowding. Not only is the work of our Public Health Committee, but the action of Vestries is stopped by the fact that there is nowhere for the people, who are displaced, to go to.”

Mr. Beachcroft adds—

“I am hopeless of doing anything unless enormously increased travelling facilities are offered immediately.”

I do not think I need add anything to insist on the importance of providing a cheap service of trains, nor do I think I need say anything upon what I think will be admitted—that there is at the present time a most deplorable deficiency in the supply. Moreover, it is admitted that this railway will run through a district in which cheap trains for workmen will be specially required. I do not know whether this will be conceded by the promoters of the Bill, but certainly it is one of the findings of the Select Committee, because they say the most ample accommodation for workmen's trains ought to be offered, but they add that the Act of 1883 is sufficient for this purpose and ought to be operative. Now, according to the Act of 1883, how does the matter stand? Prior to that year, and at that time, it had become a tolerably general practice on the part of this House to introduce into Railway Bills clauses providing that workmen's trains should be run at special rates, the usual rate being 1d. per passenger per journey; the distances travelled being six or eight miles, or even more. I need not trouble the House with cases, but I may mention that they were given in detail by Mr. Courtenay Boyle, of the Board of Trade, in reference to the Central London Railway Bill of last year. There is one case I may for a moment refer to—that of the Great Eastern Railway Company. This House placed the Great Eastern Company under very stringent terms with regard to the fares to be charged by workmen's trains; it provided that these trains should carry workmen between Liverpool Street and New Cross, Liverpool Street and Walthamstow and Liverpool Street and

Edmonton at a penny per passenger for each journey, that is to say a penny for distances respectively of five, seven, and eight miles. I have no doubt the shareholders of the Great Eastern Company protested against that Clause as much as those interested in the Manchester, Sheffield and Lincolnshire Company now protest against this Clause; but let the House notice that this very Company, which we placed under the severest conditions with regard to workmen's trains, have voluntarily gone beyond the statutory conditions we imposed, and to-day the Great Eastern is emphatically the workmen's Company—the one Company which above all others seems to regard the workmen as desirable customers. They make provision for them, and consult the needs of workmen to an extent and in a variety of ways which no other London company does. I submit, therefore, that the policy this House adopted in imposing these conditions has been amply justified in the case of the Great Eastern Company. But the promoters of this Bill say that although it would have been perfectly right before 1883 to move the insertion of such a Clause as this in a Railway Bill, the case is now altered by the passing of the Cheap Trains Act of that year. Now for a moment let me refer to the Report of the Royal Commission on the Housing of the Working Classes in 1885, because they have said something very pertinent to the argument on this point. They say—

“Your Commissioners would here endorse the recommendations of the Select Committee of 1882 as to the conditions which should be imposed for the running of workmen's trains as opportunities may offer.”

Now what is the meaning of these words “as opportunities may offer”? Surely it is clear the meaning is that where a railway company comes to this House for new powers this House ought to seize the opportunity to place that company under terms similar to those which have been imposed upon the Great Eastern Company. So I may claim that I am, in moving this Clause, only following the course which was suggested by the Royal Commission of 1885, and this will be recognised as a good authority. Beyond this I can

claim in my support a precedent set by this House so recently as last year. I refer to the Central London Railway Act of 1891. In that Act it is provided that the Company shall run three trains daily each way morning and evening at fares not exceeding one penny for the journey, that is one penny for six miles. Now I notice that the promoters of this Bill in arguing against the Clause proposed in Committee upstairs said they would be placed in a very unfair position as compared with the Metropolitan Railway Company and the London and North-Western Company. But that was exactly the objection, or a very similar objection, raised by the promoters of the Central London Railway Bill last year. The counsel for the promoters put his case almost plaintively before the Committee. "You will be putting us," he said, "in a worse position than any other company, and what have we done to deserve it?" Well, the objection was not allowed to prevail in that case, and I see no reason why it should be permitted to prevail in this. Now, with regard to the adequacy of the Clause which the promoters say they have introduced to meet the equity of the case and the unfairness of this Clause, they say that whereas the Metropolitan Railway Company would be permitted to charge fourpence between Baker Street and Neasden, our proposal would only allow the Manchester, Sheffield and Lincolnshire Company to charge twopence. The Clause in its amended form meets that objection because Neasden is beyond five miles from the London terminus and it would therefore be competent for the Company under this Clause to charge the same fare to Neasden which the Metropolitan Company are required by the Railway Commission to charge. Then it may be asked if we are allowing the Manchester, Sheffield and Lincolnshire Company to charge the same fare in this case, what object will be gained by passing this Clause? A difference would arise so far as the intervening stations between Baker Street and Neasden are concerned. For instance, take the case of Willesden Green, where I am informed there is a considerable and growing working-class population. At present the return

fare between Willesden Green and Baker Street is threepence, and under this Clause the Company will not be able to charge more than twopence. I submit that threepence, having regard to the fares charged for the longer distances on other railways, is an unreasonable fare, and that twopence would be quite as much as the Railway Company ought to charge for the distance which is only about four miles. Then secondly this Clause would require that trains should be run up to a reasonable time, eight o'clock. As a matter of fact at present these trains fall considerably short of eight o'clock, and the Royal Commission in that Report to which I referred a moment ago say that at present—that is some years ago—considerable inconvenience is experienced by workmen who find themselves compelled to travel by trains carrying them to London at seven o'clock when their work only commences at eight o'clock. Thirdly, the Clause requires that the Company shall permit a passenger taking a workman's ticket to return by any third class train. I do not conceal from the House that I make this suggestion for the convenience of the workmen, but at the same time it seems to me it is equally desirable in the interest of the Company. How does the matter stand? Having brought the workman into London, the Company are bound by their contract to carry him back again; and I think it would be an advantage for the Company to carry back as many of these passengers as possible during the hours when traffic is slack, and when, as we know, trains are frequently run almost empty. I may mention that the London, Brighton and South Coast Railway Company have actually adopted this enlightened policy. In the paper which has been issued by the promoters of the Bill, as well as in the arguments used before the Committee which rejected the original Clause, considerable stress is laid upon the recent decision of the Railway Commissioners in the Neasden case; but, for my own part, I think there is no particular reason to be proud of the proceedings connected with the Neasden case, because, as a matter of fact, the memorial on the subject was presented to the Board of

Trade so long ago as 1889, and three years have been required to secure the remedy.

MR. AMBROSE (Middlesex, Harrow): The hon. Gentleman is mistaken. The memorial was not presented until August last year. The memorial he is referring to was a memorial to the directors.

\*MR. PICKERSGILL; No one is better entitled to speak on the subject than the hon. and learned Gentleman, and I accept his correction. But, at all events, this case has been a matter agitated and recommended on many public occasions during a period of three years, and all this time was required before there could be obtained what I consider a somewhat inadequate remedy. The Board of Trade disputes the duty which is laid upon the Department by the Cheap Trains Act of 1883, and the Commission of 1885 in that Report to which I have referred have some very pertinent and stringent observations with regard to the view of its duty which the Board of Trade has taken. They say that the Act mentions eight o'clock in the morning as the limit of the time for running workmen's trains, but that most of the trains were run before seven o'clock. It was contended that the powers under the Act should be exercised with great discretion, but the Commissioners go on to express their opinion that under the Act a bargain was struck between the nation and the railway companies, there being a remission of part of the passenger duty on the one part, and this provision of a certain number of workmen's trains on the other part. The Board of Trade, however, preferred not to look on this as a bargain, on the ground that the repeal of the passenger duty could be justified on public grounds, and the Board does not take the initiative in action for the protection of workmen's interests. But, as the Commissioners say, the opportunity was taken to give increased powers to the Board of Trade which it was intended should be from time to time exercised to put pressure on companies for the increase of this accommodation. The Commissioners found that the powers of the Board had not been extensively, if at all, exercised; that it was not the

custom of the Board to take the initiative; and they suggest that the Board of Trade should enter into communication with leading Trade Councils and other representative bodies of working men for the purpose of securing to the working classes the full benefit to which they are entitled, under the Act of 1883, as to hours of trains and in other respects. But I fear the Board of Trade is but a broken reed to rely upon. If the Board of Trade has acted on this suggestion, and has put itself in communication with the London Trade Councils, I am not myself aware of the fact. In these circumstances, I think I may claim the suggestion of the Commissioners as being in support of my proposal, and, at all events, it would be desirable to adopt a clause of this kind in order that this House might set up a kind of standard of fares for workmen's trains, and perhaps the Board of Trade would thereby be stimulated to bring other companies up to that standard. I submit I have made out a strong case in favour of the Clause, for, as I have said, I am following the suggestion of the Royal Commission of 1885, and I am able to claim in my support the precedent of the Central London Railway Act of last year set by this House itself. I beg, therefore, to move the new Clause of which I have given notice.

#### New Clause—

##### (Cheap trains for workmen.)

"The Company shall and they are hereby required at all times after the opening of the Railway for public traffic to run cheap trains each way for artisans, mechanics, and other working people between the London terminus and all stations on the Railway within the distance of ten miles thereof. Such trains shall be run each way every morning in the week and every evening in the week (Sundays, Christmas Day, Good Friday, and Bank Holidays excepted.) Such up trains shall be timed to arrive at the London terminus at such times up to eight in the morning as the Company shall from time to time fix. The fares by such trains shall not exceed one penny as between the London terminus and any station within the distance of five miles, and shall not exceed two pence as between the London terminus and any station within a distance exceeding five miles up to ten miles, and the Company shall issue to passengers by such trains daily return tickets at double fares which tickets shall be available for return third class by any train. In case of any complaint made to the Board of Trade of the number of such trains or the hours appointed by the Company for the running of such trains

*Mr. Pickersgill*



the said Board shall have power to fix and regulate the same from time to time. The liability of the Company under any claim to compensation for injury or otherwise in respect of each passenger travelling by such trains shall be limited to a sum not exceeding one hundred pounds,"—(*Mr. Pickersgill*,)

—brought up, and read the first time.

Motion made, and Question proposed, "That the Clause be now read a second time."

(3.30.) *SIR R. PAGET* (Somerset, Wells): I do not propose to follow the hon. Member through the various matters he has introduced to the attention of the House and details which, though they are of interest in themselves, raise principles which are outside the scope of the proposal we have now to decide upon. The question the House has before it is, Shall we put aside the Report of the Committee in one respect and adopt in its place a clause which is now, for the first time, brought to our notice, and the terms of which only appeared on the Paper yesterday? The hon. Member has laid great stress on this: that if the House will accept his recommendation, then we shall set up a standard of fairness for the rates for workmen's trains. He invites us upon his *ex parte* statement to deal with a matter involving figures and questions of finance, we being utterly unacquainted with the details of railway management and the expense of working a railway; that we should accept this proposal, and embody it in an Act as a standard for future railway legislation. Now, I venture to say that is asking the House to do more than it can reasonably be expected to undertake. May I put before the House the following argument? We, the Committee upstairs deliberately, having had witnesses before us examined and cross-examined, having had the whole case thoroughly argued out by able experts having ample acquaintance with details, came to a unanimous conclusion; and I am bound to say the materials furnished by the hon. Member do not enable the House to come to a judgment setting that unanimous opinion aside. The hon. Member has very fairly stated that his proposal now differs materially from the original recommendation of the London County Council, on whose behalf I understand he speaks.

*MR. PICKERSGILL*: Yes.

*SIR R. PAGET*: It is so. The proposal does differ from the original excessive demand of the London County Council. He has omitted to mention that the first request of the Council was for the payment of £250,000 by the Manchester, Sheffield, and Lincolnshire Railway Company on account of street improvements. Besides this, the request of the London County Council as it came before the Committee was of exactly twice the extent of that now put forward, or, in other words, the clause of the hon. Member will allow a charge of 100 per cent. more on these workmen's trains than the original demand did. But the point in question is, Are we now to accept this clause? I venture to think it is essentially a matter to decide upon details; it cannot be dealt with here; it can only be dealt with in the proper place; and when the Bill goes before the Committee of the House of Lords, there will be the opportunity to raise and decide this question. We could come to a decision here only on the most imperfect evidence. We cannot put the General Manager in the box and examine him as to the possibilities of railway management and finance; we are not a tribunal to deal with such matters of detail, which can be effectually dealt with by a small Committee with the advantages necessarily denied to us here. There is one reason, which I will put very shortly, why the proposal of the hon. Member even in its present modified form ought not to be accepted. The clause would lay down a certain fixed fare to be charged by the Manchester, Sheffield, and Lincolnshire Company. The line will communicate with London through Harrow, whence the distance is ten miles. There is another railway—the London and North Western Company—having connection with Harrow, with powers under the general law, whereas the hon. Member would place this new line under a special law, reducing the amount which it could earn from this traffic. Now, whether this is desirable or not, it is obvious that it would not be just towards this railway and the Metropolitan, which Company would, in some degree, also be affected,

that Company not having been heard in respect to the clause. The Company also take exception to the provision that workmen should return by any train. We had evidence from the managers that such an obligation would create such serious difficulties that they did not in all cases see how they could overcome them. This is just one of those matters of detail which can be threshed out before a Committee, but cannot in the House have the attention it deserves. One effect of this clause, also, would be to upset a decision the Railway Commission recently arrived at, a decision which dealt not only with a matter of principle, but with a particular part of the Metropolitan line, which practically will be amalgamated with this new line, or, at any rate, over which the Manchester, Sheffield, and Lincolnshire Company will exercise running powers. Further, the clause would introduce the anomaly of passengers travelling by the same train and class at different rates—the one travelling at the Metropolitan Company's rate, the other exercising the right this clause would give. In short, whichever way you look at it, the proposal is beset with difficulties, and I trust the House will not accept it. The Committee, having fully considered the matter, determined that it should be left to the operation of the general law, and here let me say that the general law is most simple in its application. Some of the evils of which the hon. Member has complained have no doubt arisen from the fact that the people aggrieved have not taken the trouble to use the opportunity given them or the means which the Statute has put in their power. A number of workmen have simply to meet in an informal way, draw up a formal memorial of the simplest character, present it, and the matter will be decided, the fares reduced, or the train accommodation increased. The operation of the Act is most simple. If the Act has not been effective that is because people have not resorted to it. The Committee, as I have said, fully and carefully considered this matter, and arrived at their judgment in no haste; they fully sympathised with the desire of the workmen to get the fullest benefit from the train service;

with all the advantage of ample evidence and able argument they arrived at a unanimous opinion, and I hope and believe the House will support the decision the Committee came to, and will not accede to the proposal of the hon. Member.

\*(3.41.) MR. LEVESON-GOWER (Stoke-upon-Trent): As a Member of the Committee, I express the hope that the House will concur in the view of the hon. Baronet who was Chairman. I confess that when Mr. Beachcroft first brought in the Clause proposed for adoption by the Committee, I personally felt inclined to view it with favour; and it was only when I saw that the Clause could not be introduced without causing great harm and injustice to the Manchester, Sheffield and Lincolnshire Railway Company and also to the Metropolitan District Railway Company that, as the Chairman has said, I agreed with my colleagues on the Committee that we could not possibly accept the Clause. I am sure the hon. Member who has moved this Clause will acquit me of any desire to thwart the London County Council in any reasonable action. When we consider the two instances the hon. Member has quoted as giving precedents for this Clause, I think we must allow that those cases are not on all fours with this. In the first place, as the hon. Member has said, the Great Eastern Company have voluntarily gone beyond the provisions in their Act requiring them to run certain workmen's trains at fixed rates, and they have done this to the great convenience of the working classes as well as to their own advantage. Surely if the Company find it to their advantage to adopt such a policy we may trust the Manchester, Sheffield and Lincolnshire Company to find out that it will be to their advantage to provide workmen's trains in the same voluntary fashion. Besides this, the Census Returns show that the County of Essex is one of the most rapidly increasing in population of any in the United Kingdom. Take the Romford Division as an example—the division nearest London—the increase has been from 53,000 to 102,000. In spite of the slight decrease in the agricultural divisions, the whole county shows a considerable increase.

In the case of the Central London Company, to which the hon. Member referred, there is a grave distinction from this case. In the first place, the whole length of the Central London line is to be only six miles, whereas it is proposed under this Clause to extend the fares to ten miles. In the second place, the Central Company's line will at once run through a densely-populated district. I do not think I need dwell upon the objections to the Clause, and I hope the House will confirm the unanimous decision the Committee came to.

\*(3.42.) MR. J. BLUNDELL MAPLE (Camberwell, Dulwich): I add the expression of my hope that the House will reject the Clause. For some time I have taken an interest in this question of workmen's trains, and the House will allow me to state that I have received a letter from the Metropolitan Railway Company signed by their General Manager, Colonel Bell, in the presence of their Chairman and the Chairman of the Manchester, Sheffield and Lincolnshire Company to the following effect:—

"On behalf of the Metropolitan Railway Company we will undertake as from the 1st proximo to adopt the following scale of fares for our workmen's trains, viz:—For distances of five miles and under, 2d.; for distances from five miles up to ten miles, 4d.; for distances from ten miles and up to 15 miles, 6d.; including the return journey in each case. Daily and weekly tickets on this basis."

Now, this offers far better terms than the hon. Member proposes by his Clause, and it applies to the Manchester, Sheffield and Lincolnshire Company, because by Clause 105 in the Bill it is provided that the Company shall in respect to workmen's trains between their London terminus and Neasden, including intermediate stations, be entitled to charge no fares higher than for the time being are chargeable and charged by the Metropolitan Railway by their workmen's trains between Baker Street and Neasden, and intermediate stations. So not only will workmen succeed in getting what is asked by the Clause from the Manchester, Sheffield and Lincolnshire Company, but the rate of twopence, including the return fare for every five miles, will apply to distances up to 15 miles. I submit, therefore, the House need no

longer be occupied with the discussion of the proposed Clause.

(3.49.) MR. HENEAGE (Great Grimsby): I think I shall best consult the convenience of the House by not entering upon details after the exhaustive analysis in the speech of the Chairman of the Committee, and after the Committee, upon the result of two days' examination, came to the decision that such a clause should not be introduced. I think it must be clear that it is utterly impossible to entertain the clause, considering that so very recently the rates at which workmen are to be carried on the Metropolitan line over which the Company will have to run, have been fixed by the Railway Commission. We have, then, the security of Clause 105 that the rates shall be identical, and we have the authoritative decision of the Railway Commission. Then, further, after the letter which the hon. Member for Camberwell (Mr. Maple) has just read, I do not think the House can possibly be justified in inserting the clause. The Manchester, Sheffield, and Lincolnshire Company would not agree to the clause, and the arrangement just referred to will give better terms to those interested than the clause would give. Taking these matters into consideration, I do not think the House will be disposed to revise the decision of its Committee. After all, it must be remembered this is a question of finance; and it is utterly impossible for us here, even if we wished to do so, to form any opinion as to the ability of a Railway Company to carry at any given rate unless we have the evidence of managers and experts to guide us. Such evidence the Committee had, and then their decision was unanimous. If the London County Council are not satisfied with the proposal conveyed in the letter read by the hon. Member opposite, then the Council can raise the question again, and it can be fully and fairly discussed before the Committee of the other House. I think the House may now decide to support the finding of its Committee.

(3.52.) MR. JAMES ROWLANDS (Finsbury, E.): I think, probably, my hon. Friend (Mr. Pickersgill) may be satisfied, after hearing the letter read, that the promoters of the Bill are pre-

pared to concede something in the direction indicated by the clause.

MR. BLUNDELL MAPLE: More.

MR. JAMES ROWLANDS: I do not want to overstate the case; I only want to say that my hon. Friend is justified in the action he has taken. It is a considerable concession, and I do not suppose my hon. Friend will go to a Division. But there remains the question of running these trains up to eight o'clock. These trains run through a district rapidly growing, and already largely populated by people whose work commences not at six o'clock, but at eight o'clock in the morning. I refer to the Willesden Green district particularly. These men are employed in the large houses in the City and elsewhere; they are packers, porters, warehousemen, and so on, and I think it is only right that they should have the means of using these cheap trains at the time they are required.

\*(3.54.) THE PRESIDENT OF THE BOARD OF TRADE (Sir M. HICKS BEACH, Bristol, W.): I understand that the hon. Member (Mr. Pickersgill) has made some reference to the action or inaction of the Board of Trade. I think it may be of interest to state that the London County Council have made a most exhaustive and searching inquiry into the number of workmen's trains running to and from the different London termini, and matters relating thereto, and certain recommendations for improvements in these matters may be found in the Report. If I may say so, the inquiry does the Council great credit. The Report has been sent to me, and I have taken immediate steps to communicate with the railway companies; but before I express any final opinion I ought to hear what they have to say. I have no doubt that the result will be beneficial.

\*(3.55.) MR. PICKERSGILL: Although the proposal, which I understand is put forward with authority, will more than meet the demand in respect to fares, the views of the County Council are not met on the other points—the times of trains and the return journey. Having regard, however, to the concession, which I acknowledge is of a most substantial character, I beg leave to withdraw the Clause.

*Mr. James Rowlands*

Motion, and Clause, by leave, withdrawn.

Bill to be read the third time.

#### STANDING COMMITTEE (LAW, &C.)

Ordered, That the Standing Committee on Law, &c., have leave to print and circulate with the Votes the Minutes of their Proceedings and any amended Clauses of Bills committed to them.—(Mr. Campbell-Bannerman.)

### QUESTIONS.

#### MACCLESFIELD SCHOOL BOARD.

MR. BYRON REED (Bradford, E.): I beg to ask the Vice President of the Committee of Council on Education whether he is aware that the Macclesfield School Board, which possesses no day school of its own, now proposes to form central classes for the instruction of pupil teachers of voluntary schools, and to subsidise such classes from the rates; and whether the School Board has power to carry these proposals into effect?

\*THE VICE PRESIDENT OF THE COUNCIL (Sir W. HART DYKE, Kent, Dartford): I am aware that the Macclesfield School Board have propounded some such scheme as that described by my hon. Friend, but the Department have no power to sanction it, and it will be for the local auditor to decide how far any application of public money to such an object is legal.

#### JURORS IN COUNTY ANTRIM.

MR. MACARTNEY (Antrim, S.): I beg to ask the Attorney General for Ireland whether he is aware that at the Assizes recently held in Belfast 300 special jurors were summoned for the trial of two criminal cases, many of whom attended them at great inconvenience from distant parts of the county on 17th, 24th, 28th, 29th, and 30th March before being finally discharged; that upon the entire jury panel being challenged it transpired that the larger portion of those upon the jury lists for County Antrim are never called upon to serve on any jury; whether the Judge, Baron Palles, when holding that the jury were properly summoned, is correctly reported to have commented upon the state of



things in County Antrim, which, owing to the state of the law, he could not interfere with, and to have stated that the Clerk of the Crown had informed him that were all the jurors of the county to serve in rotation the list would not be exhausted for some 17 or 18 years; and whether the Government will introduce a Bill to amend the law under which such an anomaly exists in County Antrim, and thus relieve a small minority of the jurors in the county from having to perform the duties of the entire number?

**THE ATTORNEY GENERAL FOR IRELAND** (Mr. MADDEN, Dublin University): My attention has been called to the case referred to, both by the question and by my hon. and gallant Friend the Member for East Antrim. The facts are substantially as stated. I shall be glad to consider whether it would be possible to amend the provisions of the Jury Act of 1871, so as to avoid what is in many cases undoubtedly a hardship.

**MR. SEXTON** (Belfast, W.): Can the right hon. Gentleman state the reason why Belfast, the second city in Ireland, has not jurisdiction of its own, while very small towns have distinct jurisdiction?

**MR. MADDEN**: That, of course, is a separate question, which I shall be glad to consider; but the difficulty referred to arises from the practical effect of the 19th section of the Jury Act of 1871, which is at present in operation, and which does not necessitate the exhaustion of the entire list of jurors. The matter is a complicated one.

#### GREENOCK PAROCHIAL BOARD.

**DR. CAMERON** (Glasgow, College): I beg to ask the Lord Advocate whether his attention has been called to the facts connected with the election of its Committee of Management by the Greenock Parochial Board on 17th March; whether it is true that, while the Board contains about 1,200 members, and 68 were present at the meeting, 1,547 mandates, purporting to be signed by members, were handed in in support of two competing lists of committee men; whether he is aware that, on a scrutiny, which extended over 21 sittings, and lasted to 25th April, 567 of the mandates were pronounced good

and 980 rejected, as being signed in duplicate, or by persons who were not members of the Board; whether he is aware that, after the scrutiny, the whole of the mandates were handed back to the persons who had tendered them as votes, on the ground that the Board had no right either to retain or destroy them; and whether the law of Scotland contains any provision for preventing voting frauds, through vote by mandate, being perpetrated or attempted with impunity?

**\*THE LORD ADVOCATE** (Sir C. J. PEARSON, Edinburgh and St. Andrews Universities): My attention had not been called to the election of the Committee of Management of the Greenock Parochial Board on 17th March last; and I have no information as to the accuracy of the statements made in the question of the hon. Member. If he desires to obtain such information I shall be glad to get it for him; but I must point out to him that there is no reason to assume that any fraud was committed as suggested by the hon. Member, even although votes were rejected as stated in the question.

**DR. CAMERON**: Did I understand the right hon. Gentleman to say that there are no means of stopping it?

**\*SIR C. J. PEARSON**: I said there was no reason to assume that any fraud was committed as suggested in the question, although votes were rejected as stated.

**DR. CAMERON**: I shall repeat the question, and in the meantime might I ask the right hon. Gentleman to look into the question whether or not there were more votes tendered than there were members?

#### MISS ROBINSON AND ARMY CHAPLAINS.

**MR. SAMUEL SMITH** (Flintshire): I beg to ask the Financial Secretary to the War Office whether he is aware that for many years Miss Robinson has devoted herself to mission work in the Army at Portsmouth with much acceptance; if he will explain why Miss Robinson's meetings in barracks at Portsmouth have been forbidden at the request of the Chaplain, and her ladies have been refused permission to visit the hospital at Netley, and whether the Army

Chaplains are trying to stop the distribution of religious tracts in barracks; and whether he is aware that there exists at the present moment among many of the senior Chaplains great dissatisfaction with the conduct of the Chaplain General?

**THE FINANCIAL SECRETARY TO THE WAR OFFICE** (Mr. BRODRICK, Surrey, Guildford): I am aware of the good work which Miss Robinson has carried on for many years at Portsmouth, and inquiries are being made with regard to the alleged interference with her meetings in barracks there. Soldiers of all denominations are treated at Netley Hospital, and the Chaplains of all denominations objected to the distribution of tracts by outside visitors on the ground that the peace and harmony now prevailing would be disturbed. The Secretary of State is not aware that there is among the Chaplains dissatisfaction with the conduct of the Chaplain General. On the contrary, the recent attacks upon him in certain newspapers have called forth spontaneous expressions of confidence in his administration from all classes of Chaplains employed under him.

**MR. MAC NEILL** (Donegal, S.): Is the hon. Gentleman aware that this Chaplain General, contrary to the Army Regulations, issued a circular to the Chaplains, in which it was stated that they must not look for any superannuation or any benefit unless they expressed their confidence in him?

**MR. BRODRICK**: I am not aware of any such circular; but if the hon. Member submits a question, I will endeavour to answer it.

#### THE NORTH SEA FISHERIES CONVENTION.

**MR. HENEAGE** (Great Grimsby): I beg to ask the Under Secretary of State for Foreign Affairs whether the French Government have given legislative effect to the North Sea Fisheries Convention, signed at the Hague on the 16th November, 1887, by the Representatives of all the European Maritime Powers; if not, what is the present position of other Maritime Powers in respect to grog boats sailing under the French flag in the North Sea;

*Mr. Samuel Smith*

and what steps, if any, have been taken to obtain the ratification of the Convention of the French Government?

**THE UNDER SECRETARY OF STATE FOR FOREIGN AFFAIRS** (Mr. J. W. LOWTHER, Cumberland, Penrith): The French Government have not yet, I regret to say, seen their way to ratify the Convention. It has, however, been submitted to the Chamber; and it is hoped that in the interests of the fishermen of all the nationalities which take a part in the North Sea Fisheries, the Chamber may be able to assent to the unanimous conclusions of the Conference. Until the assent of the French Government is given, the Convention does not come into operation. The Netherlands Government, as the Government of the Power which convened the Conference, is charged with the duty of obtaining the ratification of the Convention, and I have no reason to suppose that it will not endeavour to obtain the ratification of the French Government, in order to put an end as soon as possible to the evils justly complained of and universally admitted to exist.

#### DOCKYARD POLICE.

**MR. COBB** (Warwick, S.E., Rugby): I beg to ask the Secretary of State for the Home Department whether the members of the Dockyard Police, incorporated with the Metropolitan Police, living in Government quarters are entitled to their quarters free of charge without any deduction being made from their pay in respect of lodgings; and whether this applies to all the members of the Dockyard Police, or to which of them it is confined?

**THE SECRETARY OF STATE FOR THE HOME DEPARTMENT** (Mr. MATTHEWS, Birmingham E.): The Metropolitan Police doing duty in dockyards are not entitled to their quarters free of charge; but a week's deduction according to rank is made in the pay of those for whom quarters are provided. Certain members of the old Dockyard Police who were transferred to the Metropolitan Police 1860 retained free quarters; but the last of these has now been reported to be unfit for further duty on medical grounds, and his papers have been sent for pension.

### REMUNERATION OF MILITARY WARDERS.

MR. COBB: I beg to ask the Financial Secretary to the War Department if he can state what steps are being taken to place chief and other warders of Her Majesty's Military Prison Service on the same pay, allowances, and rates of pension as those in local prisons; and when any such change will be made?

MR. BRODRICK: A scheme for assimilating the emoluments of warders in military prisons to those of warders in civil prisons is at present under consideration, and has been submitted to the Treasury.

### THE INEBRIATES ACTS COMMITTEE.

MR. KIMBER (Wandsworth): I beg to ask the Secretary of State for the Home Department whether it will be competent for the Committee which he has appointed to inquire into the working of the Inebriates Acts to consider whether the penal enactments for drunkenness might not be extended, either as regards the amount of punishment for the "drunk and disorderly," or as regards the application of the law to proved cases of habitual drunkenness, even not necessarily in a public place; and, if not, whether he will extend the Reference to such Committee so as to include such considerations?

MR. MATTHEWS: I do not think it is expedient to extend the order of Reference to the Committee to the first suggestion of my hon. Friend. I think the second suggestion will be within the province of the Committee. The order of Reference relates exclusively to the treatment of habitual drunkards.

### THE CALCULATION OF THE FEE GRANT.

VISCOUNT CRANBORNE (Lancashire, N.E., Darwen): I beg to ask the Vice-President of the Committee of Council on Education whether his attention has been called to the action of the Department in calculating the amount of the fee-grant on the average attendance of the whole year, and to the loss thereby incurred by certain

schools which have placed themselves under the provisions of the Elementary Education Act, 1891, before the close of their school year, but whose average attendance is largest towards the end of the year; whether the average attendance, as defined by the Act and the minutes in force at its commencement, is so limited, or is "for any period," and in this case, therefore, for the fraction of the school year during which these schools have been under the Act; whether, on the other hand, the average rate of fees permitted to be charged under Section 2, Sub-section (2), is directed to be calculated upon a whole school year, but, nevertheless, at the end of the first quarter, the Department has ruled the fee-income received to be in excess, and thus these schools have incurred a further loss, in consequence of the fee-grant being further reduced under Section 1, Sub-section (2); and whether the effect of this reduction will be to bring the fee-income of these schools below what it was before the passing of the Act?

\*SIR W. HART DYKE: Section 1 of the Act provides that the fee-grant shall be paid at the rate of 10s. a year for each child in average attendance, which is held to mean the average attendance for the school year irrespective of the date from which the school complied with the conditions of the Act, and the Department are advised that in framing regulations accordingly they acted on a correct interpretation of the Act. Upon the other point the case stands on a different footing, inasmuch as until a school year has been completed it is admitted that the Section provides no test for ascertaining with precision whether the conditions are being complied with, and the Department has therefore agreed to remit any deductions under this head, if at the end of the next school year it appears that the fees charged for the concluding months of the previous one were within the limits prescribed by the Act. I may also remind my noble Friend that the question involved in either point is of no permanent importance, as the whole difficulty is incidental to the fact that up to this date only fractional periods of a year have come under the operation of the Act.

VISCOUNT CRANBORNE : With regard to the calculation of the average attendance, I should like to ask the right hon. Gentleman whether he has consulted the law officers of the Crown as to whether his interpretation is a proper one ; and if not will he do so in order to save the trouble and expense of litigation on the point ?

\*SIR W. HART DYKE : We have not gone so far as to consult the law officers, but we have taken a legal opinion, in which I have perfect confidence. If necessary, I do not object to consult them.

#### IRISH HOLDINGS.

MR. LEA (Londonderry, S.) : I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland if the tenants of the Belville Estate, County Antrim, purchased their holdings from Lady Harberton at 17½ years' purchase in 1887, and that all applications were lodged with the Land Purchase Commissioners in 1889, and ruled as satisfactory both as to security and title, and yet the matter has not been completed ; what is the cause of this delay ; and when will the purchase date from ?

THE CHIEF SECRETARY FOR IRELAND (Mr. JACKSON, Leeds, N.) : The Land Commissioners report that the agreements for sales on the Estate referred to were lodged at dates ranging from October, 1889, to October, 1890. The advances were provisionally sanctioned at dates ranging from June, 1890, to April, 1891. Rulings on title were issued on 18th April, 1891. The Commissioners added that the cause of delay is that the solicitors for the vendor have not yet complied with the rulings of title or proceeded under the provision of Section 14 of the Land Law (Ireland) Act, 1887. No advance can be made until one or other of these courses has been taken.

MR. McCARTAN (Down, S.) : Seeing the delay is not due to any default of the tenant, cannot the right hon. Gentleman suggest to the Land Commissioners to bring some pressure to bear ?

MR. PINKERTON (Galway) : Is the right hon. Gentleman aware that only two cases remain undecided under that decision, and yet that the bulk of

the tenants are prevented from purchasing, owing to the informality of these particular cases ?

MR. JACKSON : I am afraid I do not understand the point. As regards the delay, I have stated that it was on the part of the vendor's solicitors. I am not aware that we have any power to accelerate proceedings. I will suggest that one of two courses might be adopted—either by Section 14 of the Land Law Act, 1887, or by complying with the rulings of title.

MR. McCARTAN : Do I understand that if the landlord does not wish to carry out the sale, there are no means by which the Land Commissioners can make him do so ?

MR. JACKSON : That is a legal question.

MR. PINKERTON : Is the right hon. Gentleman aware that the tenants' solicitor has been writing daily in order to get the sale effected, but that frivolous objections have been put forward by the Land Purchase Commissioners ?

MR. JACKSON : I did not say any delay had been caused by the tenants' solicitor ; I said the vendor's solicitor.

#### SUPPRESSION OF MEETINGS IN CORK.

MR. SEXTON (for MR. WILLIAM O'BRIEN, Cork Co., N.E.) : I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether the police were upon last Sunday week, for the second time, furnished with copies of proclamations to be used in suppressing any attempt of the ~~the~~ <sup>the</sup> Member for North Cork to address his constituents at Ballyclough ; and what right the police swear in ~~in~~ <sup>for</sup> (Mr. The particular meetings, of which ~~in dock~~ <sup>in dock</sup> announcement is made, and ~~quarters~~ <sup>quarters</sup> informations for the purpose ~~reduction~~ <sup>reduction</sup> cising a general right of sup ~~the pay~~ <sup>the pay</sup> public meetings in a district ? ~~are pro~~ <sup>are pro</sup>

MR. JACKSON : The Police ~~the old~~ <sup>the old</sup> rities, having reason to believe ~~transferred~~ <sup>transferred</sup> private arrangements were being ~~1860 re~~ <sup>1860 re</sup> to hold a meeting on the ~~the last of~~ <sup>the last of</sup> with the same object as that ~~to be unfit~~ <sup>to be unfit</sup> with a meeting fixed for the ~~grounds~~ <sup>grounds</sup> Sunday and suppressed—namely ~~denounced~~ <sup>denounced</sup> for denouncing and intimidation.



persons who had taken evicted farms—the responsible authorities forthwith took the necessary steps to prevent such illegal meeting being held.

MR. SEXTON: I desire to know whether the Irish Government claim the right on information with regard to a particular meeting to prevent all meetings in that district whatever their object.

MR. JACKSON: In regard to both meetings, the Authorities acted on information as to each. I think there can be no question about what was intended to be done, because I find the *Cork Examiner*, in the report of a meeting which had been held, reported that the chairman, in opening the proceedings, said he thought nothing could be of greater importance than the holding of that meeting, which was called for the purpose of denouncing land grabbing. He was speaking the truth in stating that notwithstanding the force on the ground they had successfully held their meeting. The importance of that meeting could not be gainsaid, inasmuch as one of the most glaring cases of land grabbing which had occurred for a period of ten years had taken place in their midst.

MR. SEXTON: Do the Government upon a political speech assume the character of any political meeting summoned in the district?

MR. JACKSON: No, Sir. I am speaking of the report of a speech which was delivered after the proceedings had taken place. The opinion they had as to the holding of the meeting was, I believe, correct; indeed, it was proved to be correct by the subsequent proceedings.

MR. ARTHUR O'CONNOR (Donegal, E.): Is that the kind of evidence upon which the Government are prepared to interfere in Ireland with the right of public meeting?

MR. JACKSON: I am not confined to that evidence. I had sworn evidence before the meeting took place.

#### IRISH EVICTION RETURNS.

MR. SEXTON (for Mr. WILLIAM O'BRIEN): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he will assent to a Return of all evicted farms in Ireland from July, 1886, showing how many were at

that time occupied by tenants other than the parties evicted, and how many have been since taken by such new tenants?

MR. JACKSON: I find that applications for similar Returns have never been granted, and I do not feel able to assent to the Return.

MR. SEXTON: As the General Election is near I wish to ask the right hon. Gentleman whether he will not consider the propriety of affording the public some means of judging whether coercionist government has not failed in its object?

MR. JACKSON: I have no doubt the hon. Member and his friends will keep them carefully informed on the matter.

#### FRANCIS KANE'S FAIR RENT APPLICATION.

MR. PINKERTON: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland with reference to the fair rent application of Francis Kane in respect of a farm held under the Trustees of the Ballycastle Charities, whether his attention has been called to the decision of the County Antrim Sub-Commission, as published in the *Ballymoney Free Press* of the 7th April last; whether he is aware that the Sub-Commission avowedly dismissed the application, not on its merits, but on an allegation that the tenant had failed to point out the entire holding to the visiting Commissioners, and that the tenant denies that he had failed to do so, and notwithstanding, and without any notice to him or his solicitor to appear before the Commission, the application was dismissed on the ground of "the unreasonable conduct of the tenant"; whether he will give a copy of the Report so acted upon by the Commission, and also the name of the person who made it; and whether, even now, an opportunity will be given Mr. Kane of answering the charge which was acted upon behind his back, and which he declares to be groundless?

MR. JACKSON: I am informed that the Chairman of the Sub-Commission in announcing his decision had before him, as he then stated, the personal representation of his colleagues who had inspected the holding that the

tenant had abstained from showing the entire holding. It is open to the tenant to appeal against the decision, which I understand as a matter of fact he has entered.

#### REVENUE OFFICERS AND AGRICULTURAL RETURNS.

MR. CONYBEARE (Cornwall, Camborne): I beg to ask the President of the Board of Agriculture whether his attention has been called to a letter in the *Daily News* of the 12th April, signed "A Revenue Officer," regarding the collection of Agricultural Returns without remuneration by Revenue officers, and stating that many competent and zealous Revenue officers have been punished or dismissed for failing in this duty; and whether he will cause such inquiry to be made into the means of collection of such statistics, or suspend the collection of these Returns by Revenue officers until provision can be made by Parliament enabling the police and overseers, as being the best qualified agents, to perform the duty efficiently?

THE CHANCELLOR OF THE EXCHEQUER (Mr. GOSCHEN, St. George's, Hanover Square) (who replied): In reply to the hon. Member, I may refer him to my answer of 26th February to the hon. Member for North Roscommon. When special remuneration for the collection of these statistics ceased, a new and improved scale of salary was introduced, which was considered sufficient to cover this duty as well as all other duties demanded from Revenue officers. As regards the last part of the hon. Member's question, I would refer him to the answer given by my right hon. Friend the President of the Board of Agriculture on 25th February.

MR. CONYBEARE: In view of the great dissatisfaction this question is causing both to the farmers and to the Revenue officers, I wish to know whether the right hon. Gentleman is aware that the officers have great difficulties placed in the way of collection of these Returns, because, when they step on the farmers' land, they are treated as trespassers? Being unable to obtain the Returns from the farmers, who are not compelled by law to fill up the

schedules, the officers have to fill up the Returns by guess-work. Therefore they are valueless.

MR. GOSCHEN: I believe the President of the Board of Agriculture is, on the whole, satisfied with the preparation of these Returns. Of course, it is a question whether it would not be desirable to make the return compulsory. The matter is one of some difficulty, however.

MR. CONYBEARE: I am not satisfied with the matter, although the right hon. Gentleman appears to be. I wish to ask whether he would have any objection to this collection being transferred to the Department of the Minister for Agriculture. As the right hon. Gentleman (Mr. Chaplin) is not in his place, I give notice that I will put a similar question to him when he is here.

#### DR. KENNY'S SALARY.

MR. McCARTAN: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether his attention has been called to the letter of Dr. Redmond in the *British Medical Journal* of 2nd April last, on the action taken by the Local Government Board with reference to the increase of the salary of Dr. M. J. Kenny, Medical Officer, Lismore Union, of the Tullow District; on what grounds did the Local Government Board refuse to sanction the increase of £20 in Dr. Kenny's salary, which was recommended by the Dispensary Committee, after careful investigation, and unanimously approved by the Board of Guardians; whether the Guardians, for good reasons stated, requested the Local Government Board in vain to reconsider its decision; and whether, considering that it is the only district in the Union having two dispensaries, the great increase of work, and the fact that his predecessor was paid the increased salary voted by the Board of Guardians to Dr. Kenny, he will now cause the decision to be reconsidered?

MR. JACKSON: I have seen the published letter referred to by the hon. Member. The grounds upon which the Local Government Board felt themselves unable to sanction the proposed increase of salary to the Medical Officer mentioned were stated in my

*Mr. Jackson*

reply to a question put by the hon. Member for Waterford, W., on 5th inst. The Local Government Board have given every consideration to the matter, and it may be pointed out that of the four districts comprising the Union of Tullow, Dr. Kenny's district, is the smallest, both as regards area and population.

DR. TANNER (Cork Co., Mid): Is it not a fact that the local Guardians, and everybody with opportunity for inquiry into the matter, view the case favourably? I ask the right hon. Gentleman whether he will not request the Local Government Board to reconsider this question?

MR. JACKSON: I have already stated that the Local Government Board have carefully considered this question.

DR. TANNER: I will raise it on the Estimates—when they come.

#### LARNE WORKHOUSE.

MR. McCARTAN: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland if his attention has been called to Colonel Spaight's Report on the state of Larne Workhouse, in which, among other complaints, he states that the cells for idiots were "awfully cold" during the winter, and were "most dangerous" to the patients, and also complained of the "scarcity of nurses," which was keenly felt in the infirmary; whether his attention has been called to a report in the *Irish News* of Thursday last of the proceedings at the last weekly meeting of the Larne Board of Guardians, wherein the Chairman is reported to have stated, regarding the last question asked on this subject, that the Clerk of the Union, in reply to the inquiry of the Local Government Board, had said "a whole lot and had given no answer at all," and moreover "that Dr. Rillen did certainly agree with the most of what Colonel Spaight complained of," and whether he will now state what were the complaints made by Colonel Spaight, and what steps have been taken to remedy the same?

MR. JACKSON: The Local Government Inspector reported that the cells for the idiots in Larne Workhouse were wretchedly cold; but he did not describe them as "most dangerous."

He called attention to the infirmary nurse being left without sufficient assistance. The Clerk of the Union supplied the Board with all the information he was required to furnish. The Inspector also called attention to the absence of a bath in the hospital and to certain sanitary defects in the Workhouse. It is the case that the Medical Officer agreed generally with the Inspector. The Guardians have taken steps to obviate the insufficiency of assistance to the nurse and to remedy the other defects complained of, and the only question that now remains open is as regards the provision of a close range for the kitchen and the improvement of the quarters for the idiots. The Local Government Board have addressed the Guardians again on the latter point, and the letter was to have been before the Guardians yesterday.

#### ULSTER FARMERS AND THE COMPULSORY SALE OF LAND.

MR. McCARTAN: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether his attention has been called to the report in the *Northern Whig* of 20th April last, of a meeting of Presbyterian farmers, presided over by Mr. Carr, J.P., at Killyleagh, County Down, on the previous day; and whether, considering that a resolution was unanimously adopted declaring it to be "absolutely necessary" to have a law passed to compel the landlords to sell to the tenants their holdings at a fair price, and having in view the strong feeling of discontent among the farmers of Ulster, he will now consider the desirability of introducing a Bill to amend the law relating to the sale of land in Ireland? I wish to supplement my question by this inquiry: Is the right hon. Gentleman aware that the secretary of this meeting declared himself to be a Unionist, and is reported to have said the Government must either pass a Compulsory Sale Bill for the farmers of Ulster or grant Home Rule? Which alternative is the Government prepared to take?

MR. JACKSON: I think it must be obvious that the Government must form their own conclusions as to the necessity of passing a Compulsory Land Bill; and I am not aware of any inten-

tion on the part of the Government to propose to Parliament a measure dealing with compulsory sale and purchase.

#### ESTREATMENT OF RECOGNIZANCES AT RATHFURLAND.

MR. McCARTAN: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether his attention has been called to the report in the *Newry Telegraph* of the 2nd April last, of proceedings at Petty Sessions, Rathfurland, where it appears that two men, named Dubby Smith and Patrick McEvoy, had violated the conditions of their recognizances previously entered into; that Smith, who was bound himself in £10, and two sureties in £5 each, was merely fined in 10s., and his sureties in 5s. each, while McEvoy, who was bound in only £5, and two sureties of £2 10s. each, had his recognizances estreated, and the two sureties had to pay £2 10s. each; and whether he will explain why Smith, who had been bound over in the larger amounts, was treated so leniently, while McEvoy and his sureties were obliged to pay the full amount?

MR. JACKSON: I am informed that the circumstances of the two cases referred to were wholly different. As regards Smith, he was convicted and fined 21s. for being drunk and disorderly during the period he was under bail. For this offence, in addition to the fine, his bail bonds were estreated to the amount stated in the question. McEvoy was committed for trial for assault and for using a knife, and admitted to bail. He absconded before the holding of the Petty Sessions, and his recognizances were accordingly estreated.

#### THE ASSAULT ON LEMUEL HUGHES.

MR. SAMUEL SMITH: I beg to ask the Secretary of State for the Home Department whether his attention has been drawn to the decision of the Bench of Magistrates at the Rhyl Police Court last month in the case where two men were charged with grievously assaulting Lemuel Hughes, an old man of 70 years of age, by kicking him, after knocking him down, until he was completely dazed and almost rendered insensible, for which they were only fined 10s. each; whether he is aware

that there were twelve previous convictions against one of them, including a conviction for assaulting the police; while the other defendant had not yet paid the fine for a previous conviction; and whether he will consider the expediency of amending the law so that more severe punishments may in future be inflicted for assaults of this nature?

MR. MATTHEWS: I have received a report from the Magistrates' Clerk concerning this case, together with a copy of the evidence taken at the hearing. I gather from this information that the complainant by no means suffered to the extent mentioned in the question, and that he himself inflicted a violent blow on one of the defendants. The Magistrates inform me that before passing sentence they carefully considered the previous convictions, and that the convictions particularly referred to in this question took place nine years ago. The fine imposed on each prisoner was 10s. and 7s. 3d. costs, or, in default, 14 days' imprisonment, with hard labour. There appears to me to be no sufficient ground for interfering with the sentences in this case, nor for an amendment of the law as to punishment for assaults.

#### ASSIMILATION OF UNION RETURNS.

MR. ARTHUR O'CONNOR: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether his attention has been drawn to the fact that the Clerk of the Union of Strabane last year published the removals in the Tyrone part of the Union and not in the East Donegal portion; and whether he will be willing to furnish a Return showing the Unions in Ireland in which the English practice as to registration of successive inhabitant occupiers is carried out?

MR. JACKSON: I am informed that the practice is as stated. The Clerk of the Union in Donegal adopted the course stated, in consequence of an expression of opinion of the County Court Judge on the law relating to qualification by succession.

MR. ARTHUR O'CONNOR: I wish to ask the right hon. Gentleman whether he will take steps to see that a uniform practice is followed in all the Unions of Ireland?

*Mr. Jackson*



MR. JACKSON: I am not aware that I have any power to interfere.

MR. ARTHUR O'CONNOR: Will the right hon. Gentleman favour the assimilation of the practice in Ireland to that in England?

MR. JACKSON: I understand it is rather a question of law and as such could have been easily decided.

#### THE UNITED STATES AND NEW- FOUNDLAND CONVENTION.

MR. FRANCIS EVANS (Southampton): I beg to ask the Under Secretary of State for Foreign Affairs upon what day he will lay upon the Table the correspondence which has passed between Her Majesty's Government and the Government of Newfoundland, respecting the proposed Convention recently agreed between the Governments of the United States and of Newfoundland?

THE UNDER SECRETARY OF STATE FOR THE COLONIES (Baron H. de WORMS, Liverpool, East Toxteth): Perhaps I may be allowed to answer this question. Papers will be laid as soon as the interests of the Public Service permit.

MR. FRANCIS EVANS: Am I to understand that in a question so closely affecting the immediate welfare of the people of Newfoundland a more definite answer cannot be given by the Government?

BARON H. DE WORMS: It would be contrary to precedent to present Papers while negotiations are in progress.

MR. FRANCIS EVANS: I beg to ask the Under Secretary of State for Foreign Affairs whether Her Majesty's Government have declined to assent to the Convention between the United States Government and the Government of Newfoundland?

MR. J. W. LOWTHER: The answer to the hon. Member's question is in the affirmative. Her Majesty's Government have not been able to depart from the position which they have taken up that the negotiation of a Convention between the United States and Newfoundland must proceed *pari passu* with the negotiation of an arrangement between Canada and the United States.

MR. FRANCIS EVANS: Do I understand the hon. Gentleman to say that the Government have declined to assent to the Convention?

MR. J. W. LOWTHER: Yes, Sir, they have declined to assent on the ground I have stated.

#### IRISH FISHERY HARBOUR LOANS.

MR. MALLOCK (Devon, Torquay): I beg to ask the Chancellor of the Exchequer whether, having regard to the terms on which loans may be advanced for the purchase of land in Ireland under the Act of last Session, and to the terms on which it is proposed that loans may be advanced to County Councils under the Small Agricultural Holdings Bill now before Parliament, he will consider the advisability of modifying the Treasury Minute, dated 4th May, 1887, on Harbour Loans so that loans may be advanced to fishery harbours on more favourable terms than are authorised by that Minute?

\*MR. GOSCHEN: The rate at which loans can be advanced for various purposes by the State depends not only upon the rate at which the State can borrow, but on the security which can be afforded. Where there is experience that bad debts are incurred, it is necessary to fix the loans with some reference to the ultimate result to the State. The case of harbours, to which the Minute in question applied, shows generally that the rates at which money has been advanced have not been more than sufficient to insure the State against loss, even if it should ultimately be proved that they have been sufficient, which is extremely doubtful.

MR. MALLOCK: Does that apply to loans advanced on collateral security?

\*MR. GOSCHEN: Taking all the loans together—and no loans have been advanced without some kind of security—it seems extremely doubtful whether it will not be necessary to write off something as bad debts.

#### MANUFACTURE OF CORDITE.

MR. BAUMANN (Camberwell, Peckham): I beg to ask the Secretary of State for War whether any other patents of smokeless powder besides

cordite have been assigned to him as being the inventions of officers in the employ of the War Office; whether any other smokeless powder is being manufactured at any of the Government factories which, in the event of cordite not giving satisfaction, could be resorted to; on what grounds he decided that the cordite patent should no longer be secret; in what foreign countries Sir Frederick Abel and Professor Dewar have patented cordite; and whether any arrangement has been made by him with Sir Frederick Abel as to the profits of the foreign patents?

MR. BRODRICK: Cordite is the only smokeless powder the patent for which has been assigned to the Secretary of State, and no other form of smokeless powder is in course of manufacture in the Government factories. It will be necessary to give trade firms licence to manufacture cordite under the patent, and it is not considered necessary to keep the specification any longer secret. It is not known at the War Office in what foreign countries the inventors have patented cordite, and no arrangement has been made with them as to the profits under foreign patents.

#### THE EXPLOSIVES COMMITTEE.

MR. BAUMANN: I beg to ask the Secretary of State for War on what date the Explosives Committee was appointed; what were the terms of Reference to that Committee; and when it was dissolved?

MR. BRODRICK: The Explosives Committee was appointed on 10th July, 1888, and was dissolved on 10th July, 1891. The Reference to the Committee was the consideration of questions relating to new explosive agents or to new applications of, or improvements in, explosive agents already known, if such questions were referred to the Committee by order of the Commander-in-Chief.

#### THE ROYAL COMMISSION ON VACCINATION.

MR. SUMMERS (Huddersfield): I beg to ask the President of the Local Government Board whether it is his intention to propose legislation to give

*Mr. Baumann*

effect to the recommendations of the Royal Commission on Vaccination?

THE PRESIDENT OF THE LOCAL GOVERNMENT BOARD (Mr. RITCHIE, Tower Hamlets, St. George's): I must ask the hon. Member to defer the question, as the Government has not had the opportunity of considering the Report of the Royal Commission.

#### QUALIFICATIONS OF GUARDIANS AND VESTRYMEN.

SIR W. PLOWDEN (Wolverhampton, W.): I beg to ask the President of the Local Government Board, with reference to an interview reported in the *Times* of Wednesday, the 4th inst., which a deputation of the Parliamentary Committee of the Trades Unions Associations had with him, and to suggestions made by that deputation in regard to his assenting to the Second Reading of the Bills now down for consideration, dealing with the property qualification in the case of Guardians of the Poor and Vestrymen, whether he will on behalf of the Government consent to these Bills being read a second time together, and referred to a Select Committee?

MR. RITCHIE: It is the case that a deputation urged me to assent to the Second Reading of the two Bills referred to, on the condition that they should go to a Select Committee. As to the rating qualification for Vestrymen, I do not think it can be maintained, looking to the fact that no similar qualification is required for either Town Councils or County Councils. At the same time, I think the matter is one which ought more properly to be dealt with in a District Councils Bill. The question of Guardians' qualification stands on a different footing. It cannot be considered as quite satisfactory that the amount should vary so much as it does in different Unions; and if the Government consider it desirable, the Government would offer no opposition to the Bills being read a second time and referred to a Select Committee, on the understanding that they must assent to the principle of the qualification for Guardians of the Poor, but merely that the conditions of the qualification be put into effect.

### APPLICATION FOR A TELEGRAPH OFFICE AT CULDAFF.

MR. MAGUIRE (Donegal, N.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether an application has been made to the Government for a telegraph office at Culdaff, County Donegal; whether the Electoral Divisions of Culdaff, Carthage, and Gleneely, in the Innishowen Union, are asked to give a guarantee to support the same; whether he is aware that the said application has been made without the knowledge or consent of the ratepayers of the said divisions, and that a memorial is being signed by the ratepayers against the giving of the said guarantee; and whether he will grant such application pending the ratepayers being afforded an opportunity of expressing their opinion upon the same at the next election for Poor Law Guardians?

MR. JACKSON: Such an application was received from the Innishowen Board of Guardians, who are the Rural Sanitary Authority empowered to give guarantees for the cost of telegraph offices, and they resolved to guarantee the sum required by the Post Office for a telegraph station at Culdaff, Donegal. A draft agreement was sent to the Board accordingly. The Department has no official cognisance of the contributory Unions, and I have no right to question the competency of the Statutory Authority to conclude such an agreement.

### THE REPORT OF THE INSPECTORS OF IRISH FISHERIES.

DR. TANNER: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland what is the cause of the delay in presenting the Report of the Inspectors of Irish Fisheries for the year 1891, which, by the 112th section of 5 and 6 Vic., c. 106, is directed to be laid before each House of Parliament within three weeks after the commencement of the Session: and whether, since such a Return would be of manifest importance to the Select Committee on Salmon Fisheries, it will be given without further delay?

MR. JACKSON: The Inspectors of Irish Fisheries state that the Report for the year 1891 is complete, and

directions have been given to the printers to furnish the copies for presentation to Parliament forthwith.

DR. TANNER: What is the cause of the delay?

MR. JACKSON: The reason is that they could not be got ready sooner.

DR. TANNER: Is it not rather incompetence on the part of the authorities, or want of application on the part of the Chief Secretary?

### RATHVILLY TELEGRAPH STATION.

DR. TANNER: I beg to ask the Postmaster General whether a guarantee is invariably demanded from districts in which it is proposed to establish telegraph stations, and whether any guarantee was required for Kiltegan, County Wicklow; and, if not, why a guarantee is insisted upon for the proposed telegraph station at Rathvilly, County Carlow?

THE POSTMASTER GENERAL (Sir J. FERGUSON, Manchester, N.E.): I am sorry to say that a mistake was made in asking for a guarantee for the telegraph station at Rathvilly, and it will be established without guarantee.

### THE SHANNON FISHERMEN.

DR. TANNER: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether any reply has been given to the representations forwarded by the Shannon fishermen of Limerick to the Inspectors of Irish Fisheries many months ago, in which the fishermen complain of certain byelaws which they seek to have altered; and whether any investigation of the case will be made, or any public inquiry thereinto held?

MR. JACKSON: The Inspectors of Fisheries have received a memorial from certain representative fishermen praying that a bye-law be made permitting the use of nets of greater length than is at present allowed in the River Shannon. The Inspectors propose to hold an inquiry into these matters as soon as practicable.

### REVISING BARRISTERS IN IRELAND.

SIR T. ESMONDE (Dublin Co., S.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland if he will have any objection to grant a Return giving the names of the Revising Barristers appointed in 1891, the con-

stituencies in which their sittings were held, and the total number of days they were employed in the revision work?

MR. JACKSON: There will be no objection on the part of the Government to grant the Return relating to Revising Barristers of the nature indicated should the hon. Member desire to move for it in the usual way.

#### SALE OF LIQUORS TO CHILDREN.

MR. JOHNSTON (Belfast, S.): I beg to ask the Secretary of State for the Home Department if his attention has been called to handbills issued by Mrs. E. Holterman, 54, Gold Street, Stepney, offering malt liquors for sale, and stating that "a present will be given to every child purchasing beer on Saturday, 7th May, 1892;" and whether such an offer is legal, or can be lawfully prohibited?

MR. CONYBEARE: Before he answers that question, may I ask the right hon. Gentleman a question of which I have given him private notice? Is he aware of the extent to which the practice prevails amongst licensed victuallers both in London and in the provinces of enticing young children into their public-houses by giving them sweets and other bribes; and whether such practice is an infringement of the law; and, if so, will he instruct the police to take steps to bring the offenders to justice?

MR. MATTHEWS: In answer to the first question my attention has been called to the matter, and although I am advised the offer is not illegal the Commissioner of Police has given directions for the matter to be brought to the attention of the Licensing Justices. My answer to the second question is that the Commissioner of Police is not aware that the practice prevails to any extent; but any case of the kind brought to his notice will be placed before the Licensing Authorities.

MR. CONYBEARE: I should like to ask whether the right hon. Gentleman will give me the opportunity of proving cases, and also whether he can see his way to grant a Select Committee on the practice of the Act passed in 1886 dealing with this matter? I shall be prepared to supply ample evidence of the existence of the state of things to which I have referred.

*Sir T. Esmonde*

MR. MATTHEWS: If the hon. Member will forward any evidence he has to the Commissioner of Police he will act upon it.

MR. CONYBEARE: It is impossible to obtain evidence in every case; but I would ask the right hon. Gentleman whether it would not be possible, considering the evidence we have, to instruct the police to open their eyes to this—I was going to say villany—but I will say this practice, and to prevent anything of the kind being done? They have the *entrée* to the public-houses.

MR. SPEAKER: Order, order!

#### RE-DIRECTION OF LETTERS.

MR. LENG (Dundee): I beg to ask the Postmaster General whether the Treasury Warrant has yet been issued authorising the re-direction of letters without extra charge; and whether it extends to Members of this House the right of posting from the Vote Office Parliamentary Papers as well as Bills?

SIR J. FERGUSSON: I hope that the Warrant will be issued shortly. No charge is made to Members of Parliament for despatching Parliamentary Papers from the Vote or Sale Office of this House.

#### RECEIVING OFFICES FOR LETTERS ON SUNDAYS.

MR. COX (Clare, E.): I beg to ask the Postmaster General whether, although in Dublin there are several receiving offices for the postage of letters for the English mail on Sunday, letters for Ireland posted in London after the evening collection on Saturday do not reach any of the provincial towns in time for delivery before Tuesday morning; and whether, considering the very great inconvenience caused thereby, and the little extra cost of having a receiving office in connection with the telegraph office at Charing Cross, he will consider the desirability of establishing one there?

SIR J. FERGUSSON: Since the hon. Member put his question I have made inquiry, and as I find that a certain number of persons are necessarily employed on Sunday at the West Strand Post Office, and that letters could be received there for evening despatch as well as at the General Post Office without increasing the staff em-



ployed, I have given directions that this shall be done, and it will take effect on Sunday next. I may mention that each letter to be forwarded in this way must bear an extra stamp of  $\frac{1}{2}$ d. for inland letters, and 1d. for continental letters.

#### THE REMOVAL OF CONSTABLES.

MR. McCARTAN: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland, with reference to the Constabulary investigation recently held at Dromara, County Down, whether he is aware that the immediate removal to another district of constables, against whom charges have been preferred, is always considered a punishment; and whether he now knows of the strong feeling in the district against the continuance of Sergeant Downey in charge of the station there; and, if so, whether he will call the attention of the Inspector General to the matter?

MR. JACKSON: The Constabulary Authorities report that the removal to any district of constables is not regarded as a punishment, and I am not aware that there is any strong feeling in the locality against the sergeant referred to.

#### THE COLLOONEY AND CLAREMORRIS LINE.

MR. COLLERY (Sligo, N.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether any final arrangement has been come to between the Treasury and the Waterford and Limerick Railway Company for the completion of the Collooney and Claremorris Line; if any hitch, as reported, has arisen in the matter; and whether, in the event of the Waterford and Limerick Company not proceeding with the work, the Government have in view any further arrangement by which the line may be completed?

MR. JACKSON: I cannot say that there is any hitch at present, but I should say that the negotiations are not concluded.

#### WALTON-ON-THAMES SCHOOL BOARD.

MR. SUMMERS: I beg to ask the Vice President of the Committee of Council on Education whether he is aware of the terms upon which the

School Board of Walton-on-Thames is allowed to carry on the work of education at Hersham School; whether he is aware that by the terms of the lease the School Board is not permitted to have possession of the school premises till 10 a.m.; and whether, in the interests of education, he will use such influence as he may possess, with a view of obtaining for the School Board a revision of the terms of the lease in question?

\*SIR W. HART DYKE: The Walton School Board holds the Hersham School under an ordinary agreement which I am not aware is productive of friction or liable to act prejudicially to education. Indeed, no difficulty arose until the present Board came into existence, and I am not prepared to suggest a revision of the terms of the transfer.

MR. SUMMERS: Does the right hon. Gentleman consider it a perfect arrangement?

\*SIR W. HART DYKE: It is one that works well in a great number of cases.

#### THE CONVICTION OF MR. LEWIS LYONS.

MR. CONYBEARE: I beg to ask the Secretary of State for the Home Department whether his attention has been called to a letter signed "H. Whorlow" in the *Daily News* of the 10th instant, relating to the trial and sentence by the Recorder of London to six months' imprisonment of Mr. Lewis Lyons for a libel published in the Yiddish language on Mr. Charles Tarling, from which it appears that Mr. Lyons, who on account of poverty employed no solicitor, only discovered when it was too late that certain forms of law were essential in order that he might, as he intended, prove justification, and was not allowed to call any witnesses, on the ground that no notice had been given of his intention to plead justification; and whether, under all the circumstances, he will inquire into the case with a view to a mitigation of the sentence?

MR. MATTHEWS: I shall be glad if the hon. Member will be good enough to postpone this question for a few days.

### PETROLEUM STEAMERS IN THE SUEZ CANAL.

MR. RANDELL (Glamorgan, Gower): I beg to ask the Under Secretary of State for Foreign Affairs whether the Suez Canal Company have sanctioned Provisional Regulations which propose to permit the passage of tank steamers laden with bulk petroleum through the Suez Canal on and after the 1st July next; whether Her Majesty's Government are aware that in the opinion of the eminent petroleum experts, Sir Frederick Abel and Mr. Boverton Redwood, such proposed traffic will be fraught with danger to life and property on the Canal; and, if so, what steps, if any, do the Government propose to take to prevent such threatened danger; and will he lay a copy of such Provisional Regulations, and of the whole of the correspondence which has taken place relating to this passage of petroleum in bulk through the Suez Canal upon the Table of the House?

MR. J. W. LOWTHER: The Suez Canal Company have sanctioned Provisional Regulations for the passage of petroleum tank ships on and after the 1st July next. A copy of the Report of Sir Frederick Abel and Mr. Boverton Redwood has only been received to-day, and will be forwarded to the British Directors of the Suez Canal Company. Her Majesty's Government have no power to interfere with the Company in regard to the regulation of the traffic passing through the Canal so long as the Company complies with the provision of its Charter—that the flags of all nations shall receive equal treatment. There is no objection to lay the Papers asked for, but I desire to point out that the Regulations referred to appeared in the *Board of Trade Journal* for February, and the correspondence with the Shipping Associations, Chambers of Commerce, and others, has already been made public.

### STAMPING OF BILLS OF EXCHANGE.

MR. HOZIER (Lanarkshire, S.): I beg to ask the Chancellor of the Exchequer whether he can now, with reference to his answer of 3rd May, 1888, see his way to make arrangements for the stamping of Bills of Exchange, &c., in Glasgow?

MR. GOSCHEN: In the answer to which the hon. Member refers, I suggested that the facilities recently granted to Liverpool might be extended to Glasgow, and this extension has been practically carried out. These facilities do not, however, include the stamping of Bills of Exchange. Such bills can only be actually stamped at the four great centres—London, Edinburgh, Dublin and Manchester; but a good stock of forms already stamped is always kept at Glasgow on sale. This is enough, I think, for all practical purposes, and I fear I cannot see my way to granting facilities to Glasgow which are possessed by no other town in the Kingdom except the four mentioned.

### H.M.S. "SULTAN."

MR. CAREW (Kildare, N.) (for Mr. JOHN REDMOND, Waterford): I beg to ask the Secretary to the Admiralty what was the original cost, exclusive of armament, of H.M.S. *Sultan*; the sum paid on account of salvage services to that vessel up to her arrival in Portsmouth Harbour; and the probable cost of again placing the vessel in condition as an effective part of the Navy?

THE SECRETARY TO THE ADMIRALTY (Mr. Forwood, Lancashire, Ormskirk): The original cost of the *Sultan*, exclusive of armament, was £374,777. The sum paid on account of salvage services amounted to £55,260. The cost of repair of the damage sustained by the accident cannot be separated from the expenditure that may be incurred in fitting modern engines and boilers, and the estimates for this work have not yet been completed.

### GEOLOGICAL SURVEYS IN WALES AND IRELAND.

MR. PRITCHARD MORGAN (Merthyr Tydvil): I beg to ask the Chancellor of the Exchequer what period of time has elapsed since the last geological survey of North Wales and the County of Wicklow; was the last or any survey ever made with the view of ascertaining the probabilities of the gold-mining industry being carried on profitably, or were the surveys merely formal and general surveys; have any reports ever been obtained

by the Woods and Forests Office from any practical geologist or experts respecting such industry; and, if so, who made such reports: and when were such reports obtained, and have they been printed, and are copies available for the use of miners?

MR. GOSCHEN: The geological survey is under the Science and Art Department, and questions with regard to it should be addressed to my right hon. Friend the Vice President of the Council. Numerous reports on the subject of the gold-mining industry in North Wales were made to the Commissioners of Woods by the late Sir Warrington Smyth at various times. The Commissioners of Woods have also had before them published papers and reports by various experts, with which the hon. Member is, no doubt, acquainted. I may mention publications by Professor Ramsay in 1854, by Professor Ansted in 1858, and by Mr. Robert Hunt in 1866, and several papers of the late Mr. T. A. Readwin. Some of the information in the possession of the Commissioners of Woods with regard to gold mining in Wales and Ireland will be found in the Appendix to the Third Report of the Royal Commission on Mining Royalties.

#### PROFESSOR LOFFLER'S SYSTEM OF DESTROYING MICE.

MR. THORBURN (Peebles and Selkirk): I beg to ask the President of the Board of Agriculture if his attention had been directed to the following paragraph, which recently appeared in the papers, relative to the operations of Professor Loffler to destroy mice, or voles, in Greece—namely,

“Professor Loffler's method of counteracting the plague of field mice in Thessaly by means of a contagious virus promises to be completely successful, and the farmers who were threatened with ruin are loud in their gratitude;”

and whether, in the inquiry promised by the Department into the mice plague in Scotland, he would give instructions to include in the inquiry Professor Loffler's system, with a view to its adoption, if found to be efficacious?

THE PRESIDENT OF THE BOARD OF AGRICULTURE (MR. CHAPLIN, Lincolnshire, Sleaford): Yes, Sir, my attention has been directed to the para-

graph in question, and I am in communication with the Foreign Office with a view to obtain any further information on the subject which may be available.

#### ESTABLISHMENT OF A DISTRICT REGISTRY IN BELFAST.

MR. SEXTON: I beg to ask the Attorney General for Ireland whether he can now state what steps have been taken to establish a district registry in Belfast for the issue of writs of summons there?

MR. MADDEN: No steps have been taken for this purpose. The Lord Chancellor has not been made aware of any great desire in regard to this matter on the part of the public or the local practitioners in Belfast.

#### SUPERANNUATION ACTS AMENDMENT BILL.

MR. JOHN ELLIS (Nottingham, Rushcliffe): I beg to ask the Chancellor of the Exchequer whether, in order to show the cases to which the Superannuation Acts Amendment (No. 2) Bill would apply, he will lay upon the Table a Memorandum showing the estimated number of persons in each of the various branches of the Civil Services who will be affected by the Bill, and the estimated financial burden arising in consequence? I also beg to ask the Chief Secretary to the Lord Lieutenant of Ireland to how many of the seventy persons whose names are given in Return, No. 107, Session 1892, as holding the post of Resident Magistrates (Ireland), is the Superannuation Acts Amendment (No. 2) Bill expected to apply; what would be the consequent increase of financial burden on the public; and what is the reason for thus augmenting the emolument attached to the office of Resident Magistrate in Ireland?

THE FIRST LORD OF THE TREASURY (MR. A. J. BALFOUR, Manchester, E.): The hon. Member for Rushcliffe has two questions upon the Paper, one addressed to my right hon. Friend the Chancellor of the Exchequer, and the other to my right hon. Friend the Chief Secretary for Ireland. Both questions relate to a Bill about which there was some controversy the other night. The hon.

Member asks if we will lay upon the Table a Memorandum showing the estimated number of persons in each of the various branches of the Civil Services who would be affected by the Bill, and the estimated financial burden arising in consequence. Both the Secretary to the Treasury and myself have been endeavouring to ascertain from the various Departments concerned what will be the number of persons affected by the Bill; but I do not think it will be possible to lay the Return asked for on the Table for this reason. One of the Departments to which the Bill will apply is the Post Office, in which there are no fewer than 10,000 officials. It would be necessary, in such a case as this, to trace the public career of each of those officers before the Government could make out whether or not they had previously served in another branch of the Public Service; and whether the service in the other branch made it necessary to pass this Bill, in order to give them continuous service. I think the hon. Member will see that it is not therefore possible to give the particulars asked for. But some kind of estimate can be made of the number of persons in the superior branches of the Civil Service who will be affected by this Bill, and my information is that it is in the highest degree improbable the number will exceed 50, in all probability it will be less than that. I have consulted the best authorities in the Treasury as to the amount of financial burden, and I am sure that there is no probability—I had almost said possibility—of the sum exceeding £2,000 in any one year. This is, as far as the officials—those most conversant with the question of valuation—can judge. I may say that I have made special inquiries with regard to the number of Resident Magistrates in Ireland who will be affected by the Bill. The Bill only applies to those Resident Magistrates who have previous continuous service in the Constabulary, and it does not apply to any Resident Magistrate who has previously served in India or abroad, because in those cases the service is not continuous. The number of Resident Magistrates now in the service of the Irish Government who have continuous service as Resi-

dent Magistrates, with previous service in the Constabulary, is 22, and in many of these cases the change only means a few years' additional service. I have not made out what the financial burden on the public of this particular class of officials will be, but the burden will be slight, and there will be no difficulty in giving it if the House or the hon. Member desires it. In the last paragraph of the second question, the hon. Member asks, "What is the reason for thus augmenting the emolument attached to the office of Resident Magistrate in Ireland?" I should like to point out to the hon. Member that this Bill is not intended to increase the emoluments of anyone, but simply to carry out the deliberate intentions of Parliament as expressed in the original Superannuation Act of 1859, as repeated in every subsequent Act, and which was continuously administered by the Treasury until the Auditor General discovered a technical flaw in the Bill—namely, that persons serving under certain Acts were excluded from the benefits that they expected would accrue from their service. And as illustrating the necessity for the Bill, and the difficulty of finding out to whom it would apply, I may state that only the other day a Sheriff Substitute in Scotland was appointed Solicitor to the Inland Revenue. Neither this gentleman, the Inland Revenue, nor the Treasury knew that by taking a new appointment he forfeited all his claim to pension as a Sheriff in Scotland, and this is an illustration of all the cases that come under this Bill. I should not be in order if I argued the merits of the Bill, but I would point out that it would be impossible for any Government in any circumstances not to allow these gentlemen, when their period of service ended, to obtain the pension to which they are equitably entitled. This Bill is the simplest method of remedying an obvious injustice, and it is with that object the Government has brought it forward.

MR. JOHN ELLIS: I should like to ask that the House should be furnished in some shape with a definite Memorandum as to the number of persons affected and the financial burden involved. Perhaps the right hon. Gentleman will allow me to remind him that



on 5th May the Chancellor of the Exchequer told us that this would be a simple matter of £5,000. In these circumstances, may I ask the right hon. Gentleman to give us some Memorandum embodying more or less what he has told us this afternoon?

MR. SEYMOUR KEAY (Elgin and Nairn): Before the right hon. Gentleman answers the question, I should like to ask him if we are to understand that the 50 cases which he said would probably be the maximum number of superior officers who will benefit under this Bill includes all the Anglo-Indian officers?

MR. A. J. BALFOUR: I think the hon. Member is labouring under a mistake. A gentleman who serves in India and earns his pension in India, and comes home and looks out for employment here, is not affected by this Bill, because his service is not continuous. It is only the man who passes straight from the Indian service to the English service without a break that obtains any benefit under it.

MR. H. H. FOWLER (Wolverhampton, E.): I should like to ask, in view of the fact that the Royal Commission sat for two or three years and investigated the whole of the pension system, and this alleged difficulty was never brought under the notice of the Commissioners and investigated, whether the right hon. Gentleman would consent to refer the subject to a Select Committee, in order that the question which has arisen may be thoroughly investigated?

MR. A. J. BALFOUR: I have not the slightest objection to the whole question being investigated by a Select Committee if such an inquiry does not mean undue delay. On the contrary, I shall be glad to have the question investigated. With regard to the historical point put to me, I think—I am not certain—that this point has been raised by the Auditor General since the Royal Commission sat.

MR. STOREY (Sunderland): The right hon. Gentleman said just now that this Bill referred to persons who have continuous service. I cannot find any reference to that in the Bill.

MR. CRAIG (Newcastle-upon-Tyne): I should like to ask whether in the 50 superior officers of the Civil Service the right hon. Gentleman included any officers of the Uncovenanted Service in India, and whether he is aware that three of those gentlemen might take the whole £2,000 mentioned.

MR. A. J. BALFOUR: I have to say that undoubtedly the Bill is intended to apply, and does apply, only to continuous service, and there is no objection to adding words to make that perfectly clear. With regard to the question put by the hon. Gentleman who has just sat down, it is perfectly obvious that if you choose to consider a series of cases where a man is raised from a small employment to a large one, the £2,000 might conceivably be exhausted; but the same anomaly would occur in the English service. I believe, however, from the investigations I have been able to make, that the cases of continuous service in which Englishmen have been transferred to India are not less numerous than the cases in which Indian officials have been transferred to England, so that the probability is that the English Treasury will not be the loser.

MR. CONYBEARE: May I ask whether amongst those who are to benefit under this Bill are included the 30,000 discharged soldiers who, according to the statement of the Postmaster General, may soon hope to be employed at the Post Office?

MR. A. J. BALFOUR: No, Sir.

#### DISTRICT COUNCILS.

MR. GULLY (Carlisle): I beg to ask the First Lord of the Treasury whether it is the intention of the Government to introduce before Whitsuntide the Bill for the establishment of District Councils, referred to in Her Majesty's Speech?

MR. A. J. BALFOUR: It would be useless to introduce this Bill unless there was some hope of passing it into law during the course of the present Session, and unless the Government make unexpected progress with public business no such hope appears to be likely of realisation. The Bill, therefore, will not be laid upon the Table before any specified date.

#### ALLEGED FORGERIES BY A POOR LAW GUARDIAN.

MR. PATRICK O'BRIEN (Monaghan, N.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he is aware that Edward Fitzgerald, a Guardian of the Cork Union, who was, in April last, convicted on three charges of forging and tendering proxy voting papers in his own favour in the last election of Guardians, was again, on the 6th instant, convicted on six other charges of forging the names of 13 persons to voting papers and tendering the same also in his own favour in the same election of Guardians; whether the Government intend to take steps to remove Mr. Fitzgerald from the Board of Guardians, and prosecute him for these forgeries; and whether a sworn inquiry will be held to test the legality of the election of a number of other Guardians of the Cork Union, who are alleged to have been elected by forged proxy votes?

MR. JACKSON: The facts are as stated in the first paragraph, with the exception that the convictions number in all eight. The Local Government Board have been informed by the solicitor acting for Mr. Fitzgerald that he has lodged appeals against these convictions. Pending the hearing of these appeals, the Board are unable to express any opinion as to whether the convictions in question disqualify Mr. Fitzgerald from acting as a Guardian. Mr. Fitzgerald and two others were returned as Guardians for the South Ward. The Local Government Board have ordered an inquiry with the view of ascertaining whether the majority in any of these three cases is due to votes recorded in respect of the forged papers.

#### THE ZULU BOUNDARY COMMISSION.

MR. WEBB (Waterford, W.): I beg to ask the Under Secretary of State for the Colonies when it is probable that the Papers relating to the Zulu Boundary Commission will be distributed which it was intimated on 7th April were in preparation?

BARON H. DE WORMS: I hope to present the Papers shortly.

#### THE SIZE OF POST CARDS.

MR. WEBB: I beg to ask the Postmaster General if he will explain why the United Kingdom Postal Union cards, which until recently were the same size as those issued by the principal European States—namely, 5½ by 3½ inches, have now been reduced to 5½ by 3¼, or one-seventh; whether he is aware that the German and some other Continental home cards of the value in United Kingdom money of one half-penny, are 40 per cent. larger than ours sold at 5½d. for ten; and would there be any objection to increasing the size of our Postal Union and internal cards to the sizes of those issued by other countries of equal importance?

SIR J. FERGUSSON: Until recently three different rates of postage were chargeable in this country for postcards sent to places abroad—namely, 1d., 1½d., and 2d. In carrying out the scheme of uniform postage to all places abroad, it was decided to abolish the 1½d. and 2d. postcards, and make the 1d. postcard available to all destinations; but it was found necessary to accompany this concession with a slight reduction in the weight of the cards, the payments for the transit of cards through foreign countries and colonies being made by weight. The dimensions of the inland postcards have not undergone any change for the last 20 years, but it is true that some foreign countries employ larger cards in their home service. The new cards for transmission abroad are larger than the inland cards; but the size of both has been fixed with regard to the reasonable requirements of the senders in the vast majority of cases. Both appear to give general satisfaction, and it is not intended to alter the sizes.

#### SPURIOUS IRISH WOOLLEN GOODS.

MR. JOHN O'CONNOR (Tipperary, S.): I beg to ask the Attorney General for Ireland whether he is aware of any practice amongst certain merchants and commercial agents whereby they transfer woollen goods to Ireland, and having there stamped them with a spurious trade mark, export them to Great Britain, and there sell them as being of

genuine Irish manufacture; whether such a practice would be a violation of Section 4, Sub-section (b), of the Merchandise Marks Act, 1887, and an "implied warranty of sale" according to Section 17 of the same Act; and whether, if any such practices as referred to be brought under his notice, he will order a prosecution under the provisions of the above-mentioned Act?

MR. MADDEN: If any such cases as those referred to in the question are brought to my notice, I shall be glad to consider them with a view to directing a prosecution if necessary.

#### BUSINESS OF THE HOUSE.

MR. W. E. GLADSTONE (Edinburgh, Midlothian): I should like to ask the Government whether they will take the Budget on Monday, and a second question has reference to a notice which I think has now appeared many times on the Paper without any apparent progress being made. I should like to ask the Chancellor of the Exchequer, with reference to a notice he has given of what appears to be the very desirable object of fixing the relative contributions of the three Kingdoms to the Exchequer, whether he thinks that notice can be taken to-night? I am not aware that it is one that is likely to excite any prolonged discussion.

THE FIRST LORD OF THE TREASURY (Mr. A. J. BALFOUR, Manchester, E.): We shall be very glad to take the Budget on Monday, if that meets with the views of Gentlemen opposite, because I hope we shall then have finished the discussion on the Small Holdings Bill. With respect to the second question, my right hon. Friend (Mr. Goschen) asks me to say that as soon as convenient after eleven o'clock to-night he will be prepared to submit the matter referred to with a view of bringing it to a satisfactory conclusion before twelve o'clock.

MR. SEYMOUR KEAY (Elgin and Nairn): May the House understand that the Indian Councils Bill will not be taken to-night?

MR. A. J. BALFOUR: Yes.

MR. H. H. FOWLER (Wolverhampton, E.): If the Budget is taken on Monday, I suppose the Irish

Local Government Bill will be taken on Thursday the 19th?

MR. A. J. BALFOUR: I do not know why we should not take it on Tuesday.

MR. BRYCE (Aberdeen, S.): Do we understand that the fourth stage of the Local Taxation Relief (Scotland) Bill will not be taken till after the Second Reading of the Irish Bill?

MR. A. J. BALFOUR: Yes; it will not be taken till after the Irish Bill.

MR. SAMUEL EVANS (Glamorgan, Mid): With reference to the third Order of the Day, may I ask the Chancellor of the Exchequer if he will arrange to take the discussion on it as early as ten o'clock? The matter is a very complicated one, and there will not be time properly to discuss it between eleven or a quarter past and twelve o'clock.

MR. A. J. BALFOUR: The subject may be a complicated one, but I think it would be rather hard to expect the House to interrupt important Business at such an early hour. I cannot, therefore, adopt that suggestion.

MR. SEXTON (Belfast, W.): As the right hon. Gentleman is not certain that he will be able to take the Irish Bill on Tuesday, I should like to ask him what notice he will give?

MR. A. J. BALFOUR: Perhaps the hon. Gentleman will put that question to-morrow.

MR. THOMAS ELLIS (Merionethshire): In view of the fact that the Chancellor of the Exchequer has seen fit to make the question for to-night not only a matter of detail, but of principle, I should like to ask him whether he will not give us more than three-quarters of an hour to discuss this question?

MR. A. J. BALFOUR: While the Government have every desire to meet the wishes of hon. Gentlemen opposite, it is impossible to abstract more time than I have mentioned, and I hope the hon. Member will be content with one hour.

MR. CONYBEARE (Cornwall, Camborne): Could we not take it on Tuesday afternoon?

#### NEW MEMBER SWORN.

William Robert Bousfield, Esquire, for the Borough of Hackney (North Division).

## ORDERS OF THE DAY.

SMALL AGRICULTURAL HOLDINGS  
BILL.—(No. 183.)COMMITTEE. [*Progress, 10th May.*]

Considered in Committee.

(In the Committee.)

## Clause 5.

MR. STOREY (Sunderland): There are a number of Amendments put down in my name, in order to remove objections which this clause suggests. I dare say the right hon. Gentleman (Mr. Chaplin) has gathered that I object to the Bill as a whole, and I put down this series of Amendments with a view of mending it to some extent. I do not, however, propose to move them, and perhaps I may be permitted to say that whilst I am quite of the view that the Bill, so far as it enables County Councils to buy land and let it in small holdings, will be an advantage, I think that so far as it attempts to resuscitate the class of yeomen farmers it will be an absolute failure, and in my part of the country it will be inoperative. Feeling that, I do not know that it is any special duty of mine to endeavour to amend the clause in that direction. As I have said, in my part of the country it will be inoperative, and I shall be glad if it is, because I regard this effort to revive the yeoman farmer class as trying to set back the hands of the clock. I do not wish to express my views at length now, because I shall have an opportunity on a subsequent occasion, and I beg to withdraw the series of Amendments in my name.

Amendments, by leave, withdrawn.

(5.15.) MR. JESSE COLLINGS (Birmingham, Bordesley): The object of the Amendment I have to move is to alter the payment of the first instalment from one-fifth to fifteen per cent. I hope the right hon. Gentleman will make no objection to that alteration, because in his opening speech he said that the amount he had put down represented a principle rather than the exact amount upon which the Government had decided. I am glad that the Government have stuck to

the main principle of the Bill, which is to create owners instead of tenants, or rather as well as tenants; but I think now it is our duty to make it as easy as possible for everyone to become owners. The object of fixing any sum at all to be paid down is, of course, simply to secure the *bona fides* of the purchaser, and to protect the ratepayers from any fear of loss. It seems to me, however, that one-fourth is a very large sum, and one which would give rise to a great deal of difficulty in many cases. Besides, there is a precedent which will, no doubt, occur to the Government—that is the case of the Ecclesiastical Commissioners, who in all the sales they have hitherto made have put fifteen per cent. as the sum required to be paid down; and if the right hon. Baronet (Sir H. Selwin-Ibbetson) were in his place he would be able to say that they have found the amount quite satisfactory, and that it has worked very well. I am aware that there are other Amendments on the Paper, but I do not think the difference between 20 and 25 per cent. is sufficient alteration to make, and 15 per cent. seems to me to be a fair thing between the ratepayer and the purchaser, and I hope the right hon. Gentleman will accept it.

Amendment proposed,

In page 3, line 7, to leave out the words "not less than one-fourth," and insert the words "fifteen per cent."—(Mr. Jesse Collings.)

Question proposed, "That the words 'not less than one-fourth' stand part of the Clause."

(5.18.) THE PRESIDENT OF THE BOARD OF AGRICULTURE (Mr. CHAPLIN, Lincolnshire, Sleaford): The hon. Member is quite right in saying that on the introduction of the measure I did say that the amount which was put down was a question of degree rather than of principle, and I am very anxious that the views of hon. Gentlemen on the other side of the House, which have been put forward from time to time, should receive every attention; but I am afraid I cannot go to the length that the hon. Member desires. It is necessary that the Government should look after the interests of the ratepayers; and though I am prepared, with a view to meet the wishes of the hon. Gentleman, to make a



reduction in this amount to be paid down, I cannot go beyond one-fifth, which I see is the suggestion of several hon. Gentlemen. Beyond that I cannot go; that is the utmost limit. Amendments to the extent to which I am prepared to go stand in the names of the right hon. Gentleman the Member for Grimsby (Mr. Heneage) and the hon. Member for Northamptonshire (Mr. Channing); and in order to meet the wishes of hon. Gentlemen opposite, and with the object of making progress in Committee, I am willing to accept one-fifth instead of one-fourth, but I cannot go beyond that.

(5.21.) MR. BARCLAY (Forfarshire): The right hon. Gentleman seems to be afraid that the tenant will have an opportunity of running away, but to my mind there is no fear of any such thing. The County Council can make an arrangement by which the first instalment shall be paid in advance, and then there would be no risk to the County Council. The most tremendous risk they can undertake is the loss of one year's rent, and I think if the instalment were paid in advance the purchaser might very well be allowed to have the land without any capital sum being paid down, and I hope the right hon. Gentleman will consent to accept the 15 per cent. It has been said that the Ecclesiastical Commissioners only ask 15 per cent., and why should the County Council be more exacting than the Ecclesiastical Commissioners? No doubt the instalments to the Ecclesiastical Commissioners are paid more quickly than we should require, but the right hon. Gentleman must remember that if a man occupies a farm three, four, or five years and pays instalments during that time the security of the County Council is steadily increasing, and I do not see how it is possible for the County Council to lose, at all events, more than the rent for one year, and I hope the right hon. Gentleman will reconsider his decision.

\*(5.22.) COLONEL EYRE (Lincolnshire, Gainsborough): The Ecclesiastical Commissioners, who have fixed 15 per cent. as the amount to be paid down, have sold land of no less value than £350,000, and they have conducted their business with success, and have

found no reason to go back on the principle which they adopted. I think we may trust the County Council, who are a popularly-elected body, in the matter. I hope the right hon. Gentleman will see his way to adopt this Amendment.

(5.23.) MR. HALDANE (Haddington): There seems to be such a general agreement as to the 15 per cent., that I hope the right hon. Gentleman will see his way to meet us. If the clause passes in its present form it will make the Bill quite unworkable in many parts of Scotland. The right hon. Gentleman says it is our duty to protect the ratepayers. Surely that is the duty of the County Councils. They represent the ratepayers. Why cannot they be left to bargain with a would-be purchaser in the same way that an ordinary vendor bargains? If they found that a man who wanted land was impecunious, probably they would make him pay more than one-fourth—perhaps the whole of the purchase money, or secure it by mortgage; but, on the other hand, I do not see why they should not be allowed to accept less. If the right hon. Gentleman does not accept some further reduction, I am certain the result will be disastrous to the working of the Bill, and the Government will defeat the object they have in view.

\*(5.24.) MR. MORTON (Peterborough): I should very much prefer that no money should be required from the purchaser at all, and I think the right hon. Gentleman might do something better than 20 per cent. I have a Motion on the Paper that 10 per cent. should be the amount, and I am certain that if you do not come as low as 15 per cent., you will not benefit at all the class which this Bill proposes to benefit. If the average small holder has to provide 20 per cent. of the purchase money, you will leave him nothing to start and stock his small farm. The old land companies used to ask the purchaser to deposit only about five per cent., or half-a-year's payment in advance on the ten years' scale, and they did not consider that they took an extraordinary or any risk. In these cases the County Council will retain the deeds and virtually the land until the whole of the purchase money is paid. If the

County Council, or the Parish Council as I hope it will be, use ordinary prudence, there will practically be no risk at all, and we shall prevent these people being driven out of the country or into the great towns.

(5.26.) **SIR W. HARCOURT** (Derby): I should like to call the attention of the Committee to the fact that what is fixed here is a minimum and not a maximum. As an hon. Member observed, the County Council can ask a larger sum if they think fit; if the circumstances demand more than a minimum they can ask it. Why should not the County Council be trusted to exercise their discretion the other way? If they are to be trusted there is no occasion to put in a minimum. The County Council will have to inquire into the solvency of a purchaser, and when you are dealing with these very small men and these very small amounts surely you may believe that 15 per cent. would be enough to ask as security. Under these circumstances, I think there is no danger in the minimum proposed by the hon. Member for Bordesley (Mr. Collings).

(5.28.) **MR. GURDON** (Norfolk, Mid): I think it would be a most foolish thing if the County Councils were to allow purchasers to take land without paying down a substantial sum. A man who has no money cannot take land, because he will require money to stock his farm; but if a man has money to lay out and is solvent and prepared to pay that is a different matter, and I should like to see a lower amount fixed to be paid down. I hope the Amendment will be pressed.

(5.29.) **MR. CUST** (Lincolnshire, Stamford): The Government have already gone some way to meet the wishes of hon. Gentlemen on the other side, and I hope they will not give way on this point. The right hon. Member for Derby (Sir W. Harcourt) says this is only a question of fixing a minimum; if that is so, why not fix it at £1? But it is not a question of that kind purely, and I think the amount that has been fixed will meet all emergencies. The Member for Peterborough spoke of the very small risk to the County Council, but we have to think not only of the risk to the County Council and the

ratepayers—we must also think of the risk to that class which we desire to benefit—namely, the labouring class. We must not tempt the small holders to undertake the care of land which they have not the money nor the ability to cultivate with advantage. If we make it too easy for them, and do not take the trouble of finding out by their antecedents whether or not they are thrifty and possess a certain amount of business capacity, they will take the land, and it will be not a blessing but a curse to them. I hope the right hon. Gentleman will stick to the sum he has laid down.

(5.31.) **MR. HENEAGE** (Great Grimsby): I am myself perfectly willing to accept the Amendment I have put on the Paper, but I think it might with advantage be the maximum as well as the minimum. I do not see why the words “not less than” should not come out, so that the one-fifth should be the statutory sum which should be asked for.

(5.32.) **MR. A. E. GATHORNE-HARDY** (Sussex, East Grinstead): I would press on the right hon. Gentleman not to give way in this matter. It is true this is only a question of fixing a minimum, but the minimum is apt to become the maximum. It is not merely a question of trusting the County Councils; I think we have rather to protect them. If we put in too low a sum undue pressure will be put on the County Councils to take it.

\*(5.33.) **MR. WINTERBOTHAM** (Gloucester, Cirencester): There are two reasons why I gladly support this proposal to reduce the minimum. The first is that the lower the amount of the deposit the greater will be the obligation on the County Council to see that their purchase is a sound and economic one. You have not got compulsory purchase in the Bill, and it is possible that a County Council might be pressed to buy at too high a price. The answer to that would be, “We cannot give the price asked because it will not be safe for the ratepayers, as the security of the deposit is so small.” My second reason for supporting the Amendment is, if the amount is smaller it will be more likely that the holdings will be smaller, and the land will be more likely to go

in 10 or 15 acre lots instead of in 50 acre lots, and that smaller class is the one we on this side wish to see get the advantage under the Bill. We believe the smaller the deposit the more likely the County Council will be to give small holdings to the poorer and, therefore, the more deserving class.

(5.35.) COMMANDER BETHELL (York, E.R., Holderness): May I point out to my right hon. Friend that 15 per cent. would be about four years' rent, and that would be pretty good security to the County Council? I think, if my right hon. Friend could be induced to reconsider the matter in that way, he might be inclined to diminish the amount to 15 per cent., which, I think, would be enough.

(5.37.) BARON DIMSDALE (Herts, Hitchin): I must appeal to the right hon. Gentleman to adhere to the Bill as far as possible. The Bill is one in regard to which we must show our trust in the right hon. Gentleman. I think, if we do so, he will do what is right and proper, and though I do not like the reduction to one-fifth, I would urge the right hon. Gentleman to accept that.

(5.38.) MR. CHAPLIN: I am bound to say I have heard nothing in this discussion to induce me to modify my opinion further than I have already done. I must remind my hon. Friend that in the Report of the Select Committee these words occur:—

“That it is essential that the purchasers of small holdings should provide in cash a portion of the purchase money not less than one-fourth or one-fifth.”

I am not aware that my hon. Friend took any objection to that clause when it was inserted in the Report. Something has been said about the Ecclesiastical Commissioners. The money would be paid in a much shorter time under the Ecclesiastical Commissioners—in thirty years, I believe—whereas under this Bill we have allowed fifty years. I would also remind my hon. Friend that, although one-fifth may be too much in those cases where the purchaser cannot find that amount, there the powers inserted in the Bill which enable the County Council to let will come into play. The man will then hold as tenant instead of owner, and over and over again it was urged on

that side of the House that the great object and desire of hon. Gentlemen was that the holdings should be let rather than that they should be sold. I cannot see that any good reason has been given for a change, and, while regretting to differ from my hon. Friend, I must adhere to the change from one-fourth to one-fifth.

(5.40.) MR. JESSE COLLINGS: I regret that the right hon. Gentleman cannot accept my Amendment. The clause in the Report gave 20 or 25 per cent, and the object of that was to secure the *bona fides* of the applicant, and not to state a principle. The Government have rightly made the purchase of small holdings the great principle of the Bill, and they have increased the amount of land a man may hire if he be not in a position to buy. The carrying out of the principle of the Bill will be most valuable in restoring the class of peasant proprietors, and our object should be to make that restoration as easy as possible; and I contend that 15 per cent. would abundantly protect the rate-payers from loss, because every yearly instalment would increase the security. As to the Ecclesiastical Commissioners, I do not see what the shorter period of payment has to do with the question. They have taken 15 per cent. in many cases, and it has been found sufficient. Lord Wantage's Small Holdings Company only ask ten per cent., and there are many other arguments which might be put forward in favour of this percentage. I would like to point out that in the last hundred years this class have been practically deprived of their interest in the land. I am aware that the public has benefited by that, and that agriculture has been improved in every way by that process. But we cannot forget that this class as a class suffered from the operation which has been for the public good, and they have a sort of moral claim on the Legislature that it should make their restoration as easy as possible. We have precedents which have answered admirably, and I regret that the right hon. Gentleman cannot accept my Amendment. The change from 25 to 20 per cent. is something, but I think he would do right to go further.

(5.43.) MR. FULLER (Wilts, Westbury): The only real and substantial security is unquestionably the land, and, therefore, I think we ought to encourage those who are prepared to put their labour into the land, and make it more valuable, for no rent will be got from land not well cultivated. I hope, therefore, the right hon. Gentleman will look at the question in a practical manner, and will look for security to the manner in which the land is cultivated, and will not imagine that 15 or 20 per cent. is likely to meet the requirements of security. We know perfectly well that if land is badly cultivated it soon deteriorates more than 15 or 20 per cent. I hope he will seriously consider the Amendment.

MR. GRAY (Essex, Maldon): I would venture to put a little pressure on the right hon. Gentleman on this question. We want men of small means to buy or hire these small plots of land, and it is not worth while to spoil the ship for a ha'porth of tar. I think we should rather let them pay 15 per cent. than call upon them for a larger sum, which in many cases would probably prevent them taking the holdings at all. I do not think the question of risk to the ratepayers is of much importance, but I do know that the main obstacle to the taking of holdings under the provisions of the Bill will be that the people have not the money. If the experiment is to be fairly tried, I think we should strain a point in the direction of the Amendment rather than be steadfast against it.

MR. H. GARDNER (Essex, Saffron Walden): There seems to be such a division on this subject among those behind the right hon. Gentleman and such singular unanimity among those who have spoken on the subject, that, perhaps even at the eleventh hour, the right hon. Gentleman will reconsider his determination. The right hon. Gentleman said that we on this side were in favour of leasing, and not of purchase. That is to a great extent true, but the reason we were so much in favour of leasing was that we considered that the very poor class are not sufficiently rich to purchase. If we ask them to purchase, it is obvious that the deposit should be as small as possible. The difference between 15 and 20 per

cent. is so small that I hope the right hon. Gentleman will be persuaded to accede to the change.

Question, "That the words 'not less than' stand part of the Clause," put, and agreed to.

Amendment proposed,

In page 3, line 7, to leave out the words "one-fourth," in order to insert the words "one-fifth."—(Mr. Chaplin.)

Question, "That the words 'one-fourth' stand part of the Clause," put, and negatived.

Question put, "That the words 'one-fifth' be there inserted."

(5.45.) The Committee divided:—Ayes 228; Noes 173.—(Div. List, No. 124.)

(6.2.) MR. JESSE COLLINGS: I beg to move—

In page 3, line 9, to leave out Sub-section (4) and insert the following Sub-section: "(4) A portion representing not less than thirty-five per cent. of the purchase-money shall remain unpaid, and be secured by a perpetual rent-charge."

The reason I move this Amendment is that owing to the strange wording of Sub-section (4) I confess I am not able, as it stands, to understand what it means. It appears to follow the recommendation of the Select Committee in providing for a perpetual rent-charge. But the Bill goes on to say "it shall be redeemable," which to my mind destroys all usefulness with regard to perpetual rent-charge; and, therefore, I propose the substitution of this sub-section in order to carry out in plain language the intention of the Government.

Amendment proposed,

In page 3, line 9, to leave out Sub-section (4) and insert the following Sub-section: "(4) A portion representing not less than thirty-five per cent. of the purchase-money shall remain unpaid, and be secured by a perpetual rent-charge." (Mr. Jesse Collings.)

Question proposed, "That Sub-section (4) stand part of the Clause."

(6.4.) MR. CHAPLIN: The hon. Member says he does not understand the effect of the clause as it stands. Perhaps, therefore, I may say exactly what the intention of the Government is with regard to this clause. Their intention is that on the completion of the purchase a certain portion of the



money—one-fourth as the Bill was originally drawn, but one-fifth as it stands now—should be paid down; that another portion should remain as a rent-charge, and that the remaining portion of the purchase-money should be paid by annual instalments. That is the scheme or framework of the Bill, and I think the hon. Member will clearly understand it. He appears to be somewhat confused by the expression in the clause of a perpetual rent-charge, which is to be redeemable in the manner directed by the Conveyancing and Law of Property Act. I can only say that the clause has been taken from that Act, and that it would have been presumptuous on my part to attempt to improve upon it. The Amendment of the hon. Gentleman deals with two questions. It deals, in the first place, with the amount that is to remain as a perpetual rent-charge; and, in the second place, it deals with the question as to whether that rent-charge is to be redeemable or not. I think it would simplify the matter very much if we came to a decision upon the first question in the first instance. Let us first settle what the amount of the rent-charge is to be; and then let us decide whether the rent-charge is to be redeemable or not. I hope I have now sufficiently explained the clause to the hon. Member, and that he clearly understands it.

(6.7.) DR. CLARK (Caithness): It seems to me that there are three Amendments now before us. First, there is the Motion proposed by the Government that one-fourth, or 25 per cent., of the purchase-money should remain as a rent-charge; then there is the Amendment of the hon. Member for Bordesley that 35 per cent. of the money should so remain; and there is also the Amendment of my hon. Friend the Member for East Lothian that 40 per cent. should remain. Now, I am rather against all these Amendments, although it is very curious that the other day I moved a Motion on the subject, and got only very small support. Let me point out what the result will be if either of the two Amendments of my hon. Friends were adopted. In the North we have no land that will bear one-fourth of the amount in the shape of permanent tax. In

Lothian, where the soil is richer, the land might perhaps bear 40 per cent.; but we have no land in Caithness that will bear it. The result will be that our crofters and agriculturists will have a burden placed upon them which their land will not be able to pay. If the improvements made upon the land are to be charged, I do not see why a charge should not also be placed upon other forms of property, such as the stock of the merchant. I think we ought to differentiate between the poor soil in the North which will not be able to bear that burden and the richer soil in the South which might be able to do so. I would, therefore, rather support the Government in keeping the amount down to 25 per cent.

(6.10.) MR. STOREY: I confess I do not understand my hon. Friend's statement. The lowering of the amount of money to be paid down from one-fourth to one-fifth is a diminution of the security of those who have to provide the money, the public at large. That being so, I venture to represent to the House that what we ought to aim at in the remainder of the Bill is to make the security as good as possible. I must say I have an indisposition to accept the wording of the Bill, that one-fourth of the purchase-money may be secured by a perpetual rent-charge. If the right hon. Gentleman would see his way to omit all the subsidiary words about the redemption of the rent-charge, I think it would be an improvement from my point of view. I think where the public are advancing money and giving credit to private persons for specific purposes, unless we are ready to adopt the same principle and to apply it to all other classes of persons who may apply for public money, we ought to take all the securities we can. If we adopt the principle that the public without any advantage are to give a man who wants to become a landlord the use of public money and the use of public credit, I confess I cannot see why the poor pitmen of Durham, at present unluckily on strike, should not come to the House and ask to have money advanced to them for the purchase of coal pits on the same terms. If that proposal were made to the right hon. Gentleman it would be

difficult for him to give an answer to it which would be satisfactory either to the persons concerned or many others who are in favour of the nationalisation of all these public values. If the public lend their credit to a man and enable him to become a landowner, I think the public ought to have some fair return for it. The public being able to borrow at a small rate of interest ought to be able to lend that man the money at a slightly increased rate of interest, and with that increased rate of interest in the course of a long term of years his rent-charge would be bought out, not for the benefit of the man, but for the benefit of the public at large. There would then be a newly made landowner or landlord—and I must take the liberty of saying that I am a little surprised at the Liberal Members being so extremely anxious to multiply the number of landlords in this country—this newly made landowner would have paid down 20 per cent. of the money at first; he would have paid during the term of years another 55 per cent. of the money; so that he would remain the absolute possessor of 75 per cent. of the land; and the other 25 per cent. would belong to the public, who had enabled him to acquire the other 75 per cent. by the use of their money. It would remain to County Councils as a perpetual revenue coming to them year by year; and the extent to which men availed themselves of this arrangement, they would enable the County Councils to that extent to be under no necessity to levy rates. Whatever Amendment he accepts, I would impress upon the right hon. Gentleman the necessity there is in the public interest of requiring the rent-charge to be perpetual.

THE CHAIRMAN (Mr. COURTNEY, Cornwall, Bodmin): I would suggest to the Committee that it would be much more business-like if they were to take the issues involved in this question in order, instead of confusing them. There are four issues involved in this question, and they have been all mixed up together.

(6.16.) MR. HENEAGE: The whole question of what should be the amount of the rent-charge must depend entirely upon whether it is redeemable or not. If it is to be an irredeemable

rent-charge I, for one, do not think we should make it a very large amount. But, certainly, while I am in favour of it being entirely irredeemable, if the clause is to be left as it is now, I do not care very much about the amount.

(6.17.) MR. J. CHAMBERLAIN (Birmingham, W.): I confess I am a little confused by the speeches which I have just listened to. I should like very much to know from the Government exactly what is intended by the reservation of this right of the State to a perpetual rent-charge. I am not dealing now with the question whether it should be redeemable or not, but merely with the question of what is the object of a rent-charge at all. The object of the Committee in recommending that a sum should remain in the shape of a perpetual rent-charge was twofold. In the first place, they desired by this perpetual rent-charge to give the County Councils the power to carry out the conditions of purchase, for instance, to provide against subletting and sub-division, and matters of that kind; and in the next place they intended, as the hon. Member who has just spoken desires, that whatever was to be reserved as a perpetual charge should ultimately belong to the ratepayers. I really want to know whether that is the object of the Government? As the clause reads, the ratepayers would not gain anything. Whether the charge is to be a redeemable charge or not, even if the words were struck out which make it a redeemable charge, still the ratepayers would gain nothing, because all a man has to do is to pay the lowest rate of interest upon this redeemable charge. He pays a slightly increased rate of interest upon the rest of the amount in order that it may be redeemed in 50 years; but upon the rent-charge he only pays the rate of interest which is required for such a perpetual charge. Well, as I say, I do not know what the objects of the Government are, but whether the objects of the Committee are secured by this proposal is another matter. One of these objects is the same as one of the objects of the Amendment, namely, a desire to obtain some profit for the ratepayers. But if we look only to the desirability of

giving to the County Councils power over the conditions of purchase, then it does not matter what the amount of the rent-charge is; a rent-charge of five per cent. would do as well as 95 per cent. for that purpose. If that be the sole object of the Government—and so, far as this clause is concerned, that appears to me to be the sole object—I do not think that the object would be attained by taking any amount, it matters not what, but by striking out these words which enable the rent-charge to be redeemable, because if rent-charges were redeemed, the control of the conditions would go with the redemption.

(6.23.) MR. CHAPLIN: The reason why this amount was fixed as contained in the clause was to facilitate as much as possible the purchase by persons of small capital who desired to buy small holdings consistently with security to the ratepayers. In order to afford the ratepayers that security the Bill provides that a certain amount of the purchase-money is required to be paid down. It did not enter into our calculation that the clause is not framed with the view of giving any profit to the ratepayer by a redeemable rent-charge. That, I think, is an answer to the right hon. Gentleman, who seems to imagine that the retention of a rent-charge, that is to say of a rent-charge which is to be redeemable, would render the County Councils powerless to enforce the conditions of purchase. When the right hon. Gentleman rose just now I was about to make an appeal to my hon. Friend, and to ask him whether or not it would not meet his views equally well, and whether it would not be more convenient for the purposes of discussion, if he were to consent to withdraw the Amendment which stands in his name and let us take the discussion upon the three points in order; first, the amount that should remain as a rent-charge; then, when that is decided, let us settle the question as to whether it should be optional with the County Councils or obligatory upon them to insist that there should be a sum left as a rent-charge; and, in the third place, let us take the discussion upon the question whether the rent-charge is to be redeemable or not.

(6.27.) MR. JESSE COLLINGS: I think the right hon. Gentleman refers to my Amendment as it appears on the next page—Clause 5, page 3, line 9, leave out “not more than one-fourth” and insert “thirty-five per cent.” But my Amendment does not touch the question which my hon. Friend the Member for Sunderland dealt with; that is, giving the ratepayers a profit by charging more per cent. to the purchaser than was paid to the Exchequer. I thought that certainly would be raised by a separate sub-section.

MR. CHAPLIN: There is nothing in the Bill to prevent it.

MR. JESSE COLLINGS: I am aware that there is nothing in the Bill to prevent it, but there is nothing in the Bill to favour it. To facilitate progress, and in order to adopt the course suggested, I ask leave to withdraw my Amendment.

Amendment, by leave, withdrawn.

THE CHAIRMAN: Does the hon. Gentleman (Dr. Clark) wish to leave out the words “not more”?

(6.29.) DR. CLARK: I wish to keep in the words “not more.” In its present form the Clause is permissive. The amount to be paid as a rent-charge is not to be more than one-fourth, but it may be less than one-fourth.

THE CHAIRMAN: Does the hon. Member intend to make any Motion?

DR. CLARK: No.

THE CHAIRMAN: Then the hon. Member has no right to speak.

Amendment proposed,

In page 3, line 9, to leave out the words “one-fourth,” and insert the words “thirty-five per cent.” (Mr. Jesse Collings.)

Question proposed, “That the words ‘one-fourth’ stand part of the Clause.”

(6.31.) MR. ESSLEMONT (Aberdeen, E.): I understand from your ruling, Sir, that no one is entitled to move the omission of the limit, and now we are discussing the limit to be accepted. I would, therefore, suggest that 35 per cent. is not sufficient. I was led to understand that what was wanted was to retain as large an interest in the land by the County Council as possible, and that many Members on this side thought it desirable that private ownership should as far as possible be restricted. It will be restricted better by retaining

a larger quit-rent, or what we call in Scotland feu duty. And I would submit that, so far as Scotland is concerned, the right hon. Gentleman is perfectly safe in giving County Councils liberty to put what we call feu duty at a larger proportion than 35 per cent. I should like to see 75 per cent. retained, but I hope 50 per cent. may be conceded by the Government. I hope the right hon. Gentleman will be prepared to meet us to some extent. I am sure we are all at one in thinking that whilst the County Councils lay upon the rates the obligation and responsibility of buying the land, the more they retain in their own hands in regard to quit-rent or feu duty, the more they will exercise control over the cultivation of the land, and the better it will be for all concerned.

(6.34.) MR. SEYMOUR KEAY (Elgin and Nairn): Although the withdrawal of the last Amendment has in some degree cleared the ground, yet one important point put by the right hon. Member for West Birmingham surely ought to be replied to, or, at all events, comprehended by the right hon. Gentleman the President of the Board of Agriculture, because, until he gives some declaration to the Committee as to the instalments he is to charge the tenant in respect of his rent-charge, hon. Members are quite unable to judge what amount of the capital should be secured by such a perpetual rent-charge. The right hon. Gentleman, in fact, has put no arithmetic into this Bill; he has left everything in the shape of arithmetic apparently to be settled by the County Councils in their discretion, and, unless they all turn actuaries, it is possible that most difficult calculations will come before them. Anyhow, there is no question that the Committee has not made these calculations. Although the right hon. Gentleman told us one thing—namely, that he did not want to benefit the community by this perpetual rent-charge, yet I do not see how, if he takes a concrete instance, he is to carry out his view. Suppose he secures £25 of a capital of £100 by a rent-charge, unless he knows what the tenant is to pay as yearly rent-charge in respect of that £25, how is he to make up his account

with the County Council? The County Council has to borrow the £25 at 3 per cent. It is never to get that back, because it is going to lend it for ever, and the tenant is to pay a yearly rent-charge in respect of it. Yet the right hon. Gentleman does not tell us whether that annual rent-charge will be a sum greater or less than the 3 per cent. which the County Council has to pay to the public creditor. The result is that if not more than 3 per cent. is taken from the tenant annually, the County Council's £25 will never be repaid, or, if more than 3 per cent. is taken, and the £25 are consequently repaid, then the perpetual payment, whatever it may be, from the tenant will eventually go to the community and benefit the community in spite of what the right hon. Gentleman has said. I conceive that point is entirely novel to the right hon. Gentleman, although it is entirely germane to the consideration now before the Committee—which is, whether a large or a small portion of the capital value of the land should be left secured by a perpetual rent-charge upon the holding.

\*(6.38.) MR. THOMAS H. BOLTON (St. Pancras, N.): The effect of this proposal will be to considerably reduce the scope of the operations of this Bill. It may, in fact, lock up one-fourth of the ten millions of money which the right hon. Gentleman the Minister of Agriculture proposes to use for the purpose of promoting the establishment of these small holdings. If 25 per cent. remains and is to be secured to the County Council by a perpetual rent-charge, that 25 per cent. will, of course, have passed away as the purchase money to the persons from whom the land was bought, and the result will be that 75 per cent. only will be available. I do not see what benefit this provision is to confer. It certainly must be immaterial to the purchaser, except as a mere convenience, whether he pays the capital down or has a rent-charge secured upon his property. But there is another objection. Our policy in dealing with land has been to get rid of these small rent-charges, for small rent-charges are considered an annoyance and a nuisance. That was the object of the Copyhold Enfranchisement Bill. Now

*Mr. Esslemont*



it is proposed to establish in connection with this Bill all over the country a number of small rent-charges. I hope the right hon. Gentleman (Mr. Chaplin) will see his way to drop this clause altogether.

(6.41.) MR. J. CHAMBERLAIN: I do not think there is very much in the objection of the hon. Member (Mr. Bolton) that this proposal will reduce the operation of the Bill, because, although there has been some limit put upon the operation of the measure, that is distinctly because it is an experiment. If the experiment succeeds, I do not think any great difficulty will be felt in proceeding with it further. I want the Committee to see, what I think I see clearly now, that so far as the intending purchasers are concerned it matters very little whether the sum reserved for perpetual rent-charge is one-fourth, one-fifth, or any other fraction. I can best show the Committee what is the exact pecuniary effect of the principle by taking a concrete case. Assume that a man purchased a piece of land worth £200. In that case he has, under the existing arrangement, to pay down £40, which is one-fifth. He may then, if he and the County Council agree, leave one-fourth, or £50, as a perpetual rent-charge on the land; the £110, or what is called the residue, he will have to provide for by annual payments sufficient to pay the interest and the sinking fund. Now, on the £50 which forms the perpetual rent-charge he will only have to pay a sufficient sum to cover the interest. The pecuniary difference, therefore, to the purchaser is a difference between interest and sinking fund and between interest alone upon a sum which, in the case I have taken, is £50. In other words, it is a difference of one-half per cent. on £50, or a difference of 5s. a year. That is the whole pecuniary difference which is made by the introduction of this perpetual rent-charge. If my hon. Friend's Amendment were carried, and instead of one-fourth we had 35 per cent., or one-third, that would make a difference of perhaps a couple of shillings more—that is the whole extent of the difference between the one system and the other. I think, therefore, that as a pecuniary question it is hardly worth consideration. But

there are two grounds for the proposal which I think deserve consideration. The first is that by maintaining a rent-charge you maintain control over the holdings. I do not believe there is any other way by which you can prevent the small owners—whom you have gone out of your way to create, you have called in the aid of the locality, you have lent them money at a low rate, and you have taken considerable risk upon yourselves—from the moment you have done all this, turning themselves from a peasant proprietary into a miserable class of landowners with small sub-lettings. Your whole object will thereby have been lost, and you will have created probably the very worst form of tenancy in the world. You are bound to take every possible precaution to prevent that, and it has not been suggested to the Committee that there is any other effective way of doing it except by creating a rent-charge, and maintaining what would then be the conditions of the lease. That, I think, is an important reason for maintaining some kind of rent-charge, although it is no reason at all for any one kind more than another. Now comes the point which has reference to the Motion. I know it is the view of my hon. Friend (Mr. Jesse Collings) that the one dread which we have in regard to peasant proprietorship in this country is that as soon as it is established the money lender will come in, that he will lend money upon these small holdings, and get the owners into his power, so that ultimately their last state will be worse than the first. There is only one way—and I do not say it is thoroughly effective—to prevent it, and that is that the County Council or the community should be the first mortgagee. If it is the first mortgagee to a sufficient extent to make a second mortgage unsafe, then the money lender will be kept out. It will not be worth his while to come in—the risk will be too great. The only money lender will be the County Council, and the objection to its having a lien will not be so great as it would be to that of a private individual. That is a very important point, and the Committee will have to consider whether a rent-charge of one-fourth is sufficient to prevent the money lender from com-

ing in, or whether it would be wiser to raise it to 35 or 50 per cent.

(6.48.) MR. CUST: In answer to what the right hon. Gentleman has just stated, I think I am right in saying that a rent-charge would have no legal effect to prevent a second mortgage or sub-division. A much more effective way would be to direct the Registrar proposed to be set up by this Bill to refuse to accept any mortgages or to register any sub-divisions. With such a statutory declaration you would find very few persons ready to risk their money on such a title. But you cannot look upon a quit-rent as a safeguard. Where a man pays his quit-rent no earthly right will be left to the County Council to interfere to prohibit any treatment of his land the man likes to pursue. I believe the Committee would be labouring under a misapprehension to think that for any purposes a quit-rent would be a safeguard.

(6.49.) MR. HALDANE (Haddington): I do not quite agree with the hon. Member (Mr. Cust.) The rent-charge is secured upon the land, and, therefore, the County Council, as owners of the rent-charge, have an interest in seeing that the security is kept intact. In order to do so, they will take care that the conditions subject to which it is created, and which are defined in Clause 7, are complied with. That being so, I think the existence of a rent-charge does give security, although not a legal one. The hon. Member is perfectly right that no powers of distress will attach to the enforcement of the conditions; but the moral security is very valuable. For that reason it seems to me that this provision for a rent-charge should be enforced. Then, my right hon. Friend (Mr. J. Chamberlain) has spoken of the importance of this in connection with the provisions which are to prevent the land being diverted from the ordinary purposes for which it was granted; and perhaps the Committee will have observed that in Clause 7 it is only for ten years that the Minister for Agriculture contemplates putting the least restriction upon the use of the land. It is, therefore, doubly important that we should insist upon this provision as to rent-charge, with the view of founding Amendments

*Mr. J. Chamberlain*

which we shall bring forward upon Clause 7.

(6.50.) MR. JESSE COLLINGS: The discussion, I think, has got into a sort of legal vein, and perhaps I may be allowed to give what seems to me a common-sense or layman's view of the advantage of this provision. Originally, in the Bill I had, my proposal was that three-fourths should always be left unpaid, and a small quit-rent paid in perpetuity. The reason was this; the tenant, we will presume, is a man with not much money. He does not pay the amount of the purchase money, but instead of that he keeps the money, and pays a slight interest in perpetuity, and therefore the capital he keeps is put into the land for the cultivation of it. The second reason is this—I do not know whether it is a legal reason, but it is a reason that I think, will have influence. That reason is this—that the large balance of three-fourths, as I proposed—and I should like to see that proportion adopted now—being a first charge on the holding, there is little or no temptation to the money lender to lend anything further on it. Take the case mentioned by the right hon. Gentleman just now—£200 worth of land, a large unpaid balance of 35 per cent., and a low interest as a quit-rent. That holding would be already mortgaged, so to speak, for £70—the first charge of £70 on it due to the Local Authorities—to that extent that land would be no good to the money lender, and to that extent the purchaser would be saved from the money lender's devices. And here I will ask the House to consider what are the notorious facts. The peasant proprietors all over the world, whether it be in France, Egypt, Ireland, or anywhere else, have failed, so far as they have failed—I am not going to admit that they have failed, but they have been embarrassed—almost solely by the action of the money lenders. I will refer the right hon. Gentleman the President of the Board of Agriculture to the results of the Commission of 1882. He was a Member of that Commission, and, if he remembers, there was evidence that went to the uttermost height as to the effect of the money lender on the small owners. Take the Isle of Axholme in his own county; there it was shown that the great trouble of these

people was due first of all to paying a high price for the land; that obliged them to borrow the money, and from year to year they were subject to embarrassments from which they never recovered, and from which a man never does actually recover. It is far better, if a man does get into the money lender's control, to sell the whole business and put himself out of torment at once, and pocket what he can, than that he should go on year after year in the utmost embarrassment, knowing that there can only be one end to the thing. I will pass from the evidence taken by that Royal Commission in England, and refer the right hon. Gentleman to the evidence taken by the Sub-Commissioners of that same Commission abroad. Mr. Jenkinson's Report shows that in France the small holders begged, borrowed, or did anything in order to buy more land, and therefore they became permanently embarrassed to the money lender. That is a difficulty which might not be a legal one, but I think it shows that if an unpaid balance remains and is paid off by a perpetual quit-rent—to that extent everyone will see that the holder is relieved from the money lender. There is one other reason, and it is this—that if these small holdings are created to any large extent we shall find them passing from hand to hand in the market. Take the poorer classes of buyers. Is it not much easier for a man, a comparatively poor man, to buy a small holding with only a quit-rent on it and a small amount of purchase money, than it is if he had to pay all the purchase money down? Bear in mind that this quit-rent could never be raised upon him, and these poorer classes of purchasers would be able, in the market, to buy at a much lower price with only a quit-rent than they could if they had to pay the purchase money down. In the latter case they would have a mortgage, and they would have to go to the money lender. With regard to my hon. and learned Friend opposite, who said there was no legal safeguard for the County Council, I think he will admit that by the charge on the land already—say 50 per cent. or 35 per cent.—to that extent, at any rate, the purchasers would be safe from the money lender. But if the plan which he seems

to favour is adopted, and you allow a man to pay the whole amount of the purchase, I am advised by lawyers that that man is practically free when he sells, or if it should be sold a second or third time, I am told by lawyers that any conditions which the County Council might like to put into their sale will be inoperative after there have been one or two sales. I am told that by lawyers who are conversant with this question, and what will be the consequence? We shall see a series of holdings in this country with the power of creating life interests, rent-charges, and so on, and we shall have a squalid reproduction of all the evils of our present land system, because you will have, of necessity, the worst kind of landlords. They will sub-let and they will create rent-charges, and it will lead to all the evils of the present land system. But there is a difference in a rent-charge which is private property and which can be sold at a higher and higher charge, and a charge which is sold by the County Council or the community. Let me give a case with which the right hon. Gentleman may be acquainted. I mean the case of Minster Lovell. At the present moment, within a few miles of London, there are 60 to 90 holdings of from two to four acres each. Originally there was a perpetual quit-rent of £9 10s. Some of the holders are the original proprietors of that quit-rent. They are proprietors of the holdings subject to a quit-rent, which cannot be raised upon them, of £9 10s. for the four acres. But the great majority of them are hiring their land from landlords who have purchased those quit-rents in the open market—shopkeepers in the neighbouring towns—and they are charging the poor cultivators as much as £17 a year. That is what we want to avoid. Nothing of that sort can happen in cases where the County Council has the control of these rents. I am sorry to have detained the Committee so long, but I certainly consider that this is one of the most important matters we have had to deal with in connection with this Bill.

(7.1.) MR. A. E. GATHORNE-HARDY: I am sure the hon. Member for Bordesley need not have apologised to the Committee, because everyone

knows the great interest he takes in this question. For my own part, I wish to raise a question for the consideration of the Committee. What effect will this Amendment have upon those who desire to purchase? I cannot help thinking that the person who wishes to buy a holding wishes also to have absolute ownership; and if you are going to embarrass him by imposing further conditions, I believe you will do a great deal to prevent peasant proprietors coming into the market at all. I quite agree that we are creating, in the first instance, a different class of proprietors, and that we are laying down certain conditions; but I think that those conditions should exist only as long as some portion of the purchase money has still to be paid. Two arguments have been advanced against this contention. One is the desire to enable the County Council to keep some control over the holdings. I quite agree with my hon. Friend who spoke on this side of the House that no quit-rent that could be imposed would by itself have any effect. The second argument—a very strong one—is that it is desirable to keep the land out of the hands of the money-lender. I quite agree as to that, but I would point out that until the money has been paid up the purchaser will keep out of the hands of the money-lender. The County Council has the first charge on the property, and I do not believe any money-lender could be found to advance money upon it until the whole has been paid up. I should be very sorry if the owner began to borrow money upon the property; but he would then be the absolute proprietor, and I cannot see why you should impose upon him a disability to borrow money that does not exist in the Bill. I do not believe you will keep him out of the hands of the money-lender by means of a perpetual quit-rent of one-fifth. Therefore, although I entirely sympathise with the object of the Amendment, I utterly repudiate the idea of imposing a perpetual quit-rent upon the property.

\*(7.6.) MR. SEYMOUR KEAY: I think it would be convenient for the right hon. Gentleman to state what are the conditions of the perpetual rent-charge before it is decided what pro-

portion of the capital shall be represented by that rent-charge. He will see that other Amendments are to be proposed with regard to it. I appeal to the right hon. Gentleman to consider the financial quandary in which he is placing the Committee in reference to this matter. If he does not tell us what the rent-charge is to be, it will be impossible for us to judge whether it would be fair to the tenant or to the community that it should be more or that it should be less. I will try to make my meaning clear by giving a concrete example. A portion of an estate is to be purchased, for which the landlord is to be paid £100. Under the scheme of this Bill as it now stands amended, the tenant-purchaser will have to pay £20 in cash, consequently £80 will have to be provided from some public source. The County Council go to the Public Works Loan Commissioners and borrow the remainder of the money. Now, we have not been told what the tenants will have to pay on the rent-charge, or whether there will be something in it to pay off the principal, as well as to meet the yearly interest on the £80.

(7.12.) MR. CHAPLIN: I have no desire to place the Committee in any quandary whatever in regard to this matter, and I am somewhat unable to comprehend the hon. Gentleman's figures. The interest payable on the rent-charge is to be a matter of agreement between the purchaser and the County Council, precisely in the same way as the interest on the annual instalments will be. The real effect of the rent-charge will be to make the conditions binding until the rent-charge has been paid off. When that has been done, the land is perfectly free, and the owner is at liberty to do what he likes with it; and I ask why should he not be so? I have been told that in past days small freeholders were greatly injured by the extortions of money-lenders. There is nothing in the rent-charge remaining on the land which will give any safeguard against money-lenders, and I think it will be agreed that we are not called upon to make any distinction between the owner whose property is small and the owner whose property is large. What I am anxious to create is a number of freeholders of free land, and I think that

*Mr. A. E. Gathorne-Hardy*



object should commend itself to the Committee, and to the public beyond these doors. I consider it is only right that until the money is paid off we should insist upon the conditions we have laid down in the Bill; otherwise the County Council might run the risk of never receiving payment for their land. The Committee should recollect that if the scheme that we are proposing is a sound one, it will work well; if it is not sound no restrictions or conditions that we can impose will ultimately make it successful. I am sure that my wiser course will be to adhere to this sub-section, and, without wishing in any way to be antagonistic to my hon. Friend, that is the course I propose to adopt.

(7.17.) Mr. R. T. REID (Dumfries, &c.): I will not occupy the time of the Committee by entering into the point of difference between the right hon. Gentleman and the hon. Member for Bordesley. The right hon. Gentleman wishes to create owners with unlimited power—that is to say, without any restrictions. They may buy up the rent-charge as soon as they can get the money. What some of us on this side of the House say is that we should prevent a process being carried out which has already destroyed nearly all the small holdings. The Committee have reported that the effect of the law as it now stands is to keep out small landowners and to accumulate property in large masses. That is what we wish to prevent. We do not desire to find that, as soon as the public money has been spent for the purpose of creating a large number of cultivating owners throughout the country, they will proceed to sell at what profit they can the property so created for them at a great expense. The same objection would arise with regard to sub-letting. We desire that there should be limitations or restrictions to prevent the property being so dealt with, and it is for that reason I shall go into the Lobby in support of the Amendment.

\*(7.19.) Mr. JEFFREYS (Hants, Basingstoke): I should like to ask what it is we are actually going to vote upon? Whether 25 or 35 per cent. is to be paid down is not very material; but whether the remaining

charge is to be redeemable or not is quite another question.

Mr. SHAW LEFEVRE (Bradford, Central): The Amendment now before the Committee is that the words "not more than one-fourth" be left out, and that "35 per cent." be inserted, which the Committee will soon be able to decide. The question that arises is whether a quit-rent is possible or not?

Mr. STOREY: I would point out that the right hon. Gentleman is not quite correct. My hon. Friend proposes to have a quit-rent all over the country.

Mr. SHAW LEFEVRE: When the Committee have divided upon the Amendment, it can then go to the question whether the rent-charge should be terminable or not.

Question put.

(7.20.) The Committee divided:—Ayes 161; Noes 137.—(Div. List, No. 125.)

Mr. JESSE COLLINGS: In my next Amendment I will simply ask the right hon. Gentleman to leave out the words "may if the Council think fit," in page 3, line 10, and insert the word "shall." If these words are not left out it cannot be supposed that the intention will be carried out.

Amendment proposed, in page 3, line 10, to leave out the words "may if the Council think fit," and insert the word "shall."—(Mr. Jesse Collings.)

Amendment negatived.

\*Mr. SEYMOUR KEAY: The Amendment I have now to bring forward is—

In page 3, line 11, after the word "rent-charge," to insert the words "of such an amount as shall include the yearly interest payable by the County Council on loans, in respect of such portion of the purchase-money, and a yearly payment of not less than one per cent. to a sinking fund, which shall be established by the County Council for the purpose of the redemption of such loans."

About an hour ago I did myself the honour of asking the right hon. Gentleman if he would give to the Committee certain information which I suggested would be most valuable, inasmuch as it would enable us to know whether the

rent-charge was to be lower or higher than would enable the County Councils to meet their obligations for interest and repayment of principal. The right hon. Gentleman did not give the information. The reason for which I asked for information was this—If the rent-charge is to be paid to the State by instalments fully equal, to pay the interest the County Council will itself have to pay upon the loans in respect of that part of the purchase money, then I should certainly desire that the proportion of the purchase money to be secured by the rent-charge should be high; because, in that case, if there was a sufficient instalment taken yearly both to meet interest and to furnish money for a sinking fund, then, when the County Council was able to pay off the loans incurred in respect to that part of the purchase-money represented by the rent-charge, after the loan had been fully paid, the County Council would still continue to receive that perpetual rent-charge, although the debt incurred in respect to it had been wiped off. I think that was a very reasonable question for me to propound, and I venture to again submit it as essential before this Amendment can be considered. The character of the Amendment will be to insert a provision which will be an injunction to the County Council that the rent-charge which they are to exact from the tenant purchaser in perpetuity shall not only contain the interest which they are themselves to pay, but shall also contain a payment to a sinking fund by which they will be able to extinguish of the principal of the debt. In suggesting this Amendment I would impress upon the right hon. Gentleman that without it, and taking the Bill as it stands, there is nothing to prevent any County Council jobbing away the land at a peppercorn rent. Just before the election or re-election of members some of these things are done by bodies in perhaps less favoured countries than our own. I am not prepared to let the Bill confer on County Councils the indefinite power of borrowing thousands or tens of thousands of pounds and exacting only from the tenants instalments which would not even meet the interest the Council has to pay. I

*Mr. Seymour Keay*

would call the attention of the right hon. Gentleman to the special clause in the Amendment for the provision of a sinking fund, and I would point out that it will be impossible at the same time to do the two things which he states are done by this Bill. He says he does not want to put anything in the pocket of the County Council on behalf of the general community. On the other hand, the Bill provides that the County Council shall pay off their debts within fifty years. Now, if they are to pay off their own debts in fifty years, they must receive from the tenant-purchaser instalments sufficient to allow them to pay not only the yearly interest due, but to make a sinking fund to extinguish the principal of the debt in that time. If that is so, they must also have a sinking fund for that part of the purchase money to be secured by the perpetual rent-charge. Now, after the whole debt is repaid, there can be no question that they will still be in receipt of the perpetual rent-charge, and that, therefore, a sum will go into the pocket of the community. Consequently, the right hon. Gentleman is not rigidly correct in stating that the making of this rent-charge perpetual was not intended to put anything into the pocket of the County Council on behalf of the community.

Amendment proposed,

In page 3, line 11, after the word "rent-charge," to insert the words "of such an amount as shall include the yearly interest payable by the County Council on loans, in respect of such portion of the purchase-money and a yearly payment of not less than one per cent. to a sinking fund, which shall be established by the County Council for the purpose of the redemption of such loans."—(*Mr. Seymour Keay.*)

Question proposed, "That those words be there inserted."

MR. CHAPLIN: So far as I understand the hon. Member's Amendment it appears to be open to two objections, either of which would be fatal to it. The perpetual rent-charge is to be of such an amount as shall include the yearly interest payable on the loans, and also a yearly payment of not less than one per cent. to the sinking fund. That is to say, that the yearly payment may be un-

limited—it may be anything anybody pleases. The second objection is this—that the purchaser is to find the money for the sinking fund to pay off the whole debt, and yet, having found the whole of the money and the debt being paid off, the rent-charge is to remain perpetual. The Amendment then is surely of such a character that the hon. Member cannot reasonably expect me to accept it. The hon. Member said that this Amendment would prevent County Councils from doing “jobs” of a certain description, and which he seemed to expect. In that I entirely differ with him. I have no anticipation whatever of any conduct of that description on the part of the County Councils. If ever there were such an occurrence, the remedy would be in the hands of the electors, and the guilty persons would never be re-elected. I am quite unwilling to accept the Amendment.

\*MR. SEYMOUR KEAY: From the right hon. Gentleman’s first sentence, it was perfectly obvious that he does not understand the Amendment, nor the finances of his own Bill. He seemed to think it was an absurdity for me to suggest that the rent-charge should amount to enough to pay the current annual interest of the County Council loans, and that it should also include an amount sufficient to gradually destroy the principal. The right hon. Gentleman was surely not altogether absent from the House when the Land Purchase Bill was before us. The terms I have used were then adopted by the Government as binding the Land Purchase Commissioners to do exactly what I am wanting the County Councils to do by this Bill. The right hon. Gentleman abstained from even reading the wording of the Amendment. He said there was something in the Amendment which rendered it possible for the County Council to charge anything they pleased. Now, I do not think there is any suggestion of the kind. I only desire the Statute to provide what amounts shall be included in the charge, namely, sufficient to meet both principal and interest, and in that I have only followed the precedent of the Land Purchase Bill and of every other Bill dealing with the lending and re-payment of public money. I ask the

right hon. Gentleman to consider whether the position he should occupy, when the first financial Amendment to his Bill is submitted, is to attempt to ridicule it, or pretend that he does not grasp its meaning? The Amendment is perfectly plain. If I am compelled to detain the Committee, it is only because the right hon. Gentleman stands up and, in consequence of two or three lines appearing recondite to him, at once says it has no meaning whatever, and sits down. I want him to recognise that it has a meaning to every financial Member of the Government but himself, and has also a plain meaning to those hon. Members throughout the House who know anything of the raising of loans or cancelling of public debt. If the right hon. Gentleman will peruse the Amendment carefully, he will find that there is nothing for him to object to, or even to reply to, except one question—is he or is he not prepared to provide that the County Council shall exact from the tenant-purchasers such sums in the shape of annual rent-charge as shall not only enable the County Council yearly to discharge its obligations for interest, but shall also contain the element of a Sinking Fund, which shall enable it to pay off the debt to the Public Works Loan Commissioners in 50 years’ time?

Question put, and negatived.

MR. HENEAGE (Great Grimsby): I beg to move, in page 3, line 11, to leave out from the word “rent-charge,” to the end of sub-section (4). In doing this I shall not detain the Committee, as the question involved has been threshed out. It is a question whether the perpetual rent-charge involved in this sub-section is to be redeemable or not. My object in moving this Amendment is to prevent sub-letting of the land, to enable the County Council to uphold the conditions of Clause 7, and to prevent the purchasers coming into the hands of the money-lender. It has been said that these objects cannot be maintained, but I contend otherwise, because under Clause 7 it is set forth that—not only for the 10 years, but so long as any part of the purchase-money remains unpaid—periodical payments due in respect of the purchase-money shall be

made, that the holding shall be cultivated by the owner, and shall not be used for any purpose other than agriculture, and that the holding shall not be sub-divided or let without the consent of the County Council. In addition, we have been promised a registration clause; and I believe that if the County Council have a lien upon the land, they will take care not to allow sub-letting, mortgaging, or anything prejudicial to the conditions embraced in the registration. I feel very strongly on this question, and I am opposed very much to any possibility of a holder, after a certain number of years, becoming pauperised by the money-lenders.

Amendment proposed, in page 3, line 11, to leave out from the word "rent-charge," to the end of sub-section (4).—(*Mr. Heneage.*)

Question proposed, "That the words proposed to be left out stand part of the Clause."

(7.51.) MR. JESSE COLLINGS: I hope the right hon. Gentleman (Mr. Chaplin) will accept this Amendment. I am bound to say this seems a wonderful sub-section. It may be clear to the legal mind, but I should think it is not clear to any other. In my opinion, it is a sub-section that will not at all carry out the recommendations of the Select Committee. If this Amendment is negatived the result will be that those who are better off than their neighbours will redeem the land-charge and then sub-let their holdings and put on a rack-rent, and all this will tend to diminish the benefits of what is really a good Act.

(7.53.) MR. J. BRYN ROBERTS (Carnarvon, Eifion): It seems to me that if this Amendment is passed it will have directly the opposite effect to that which is intended. I think it would be better to let the words stand, and insert the word "not" after "shall." The clause will then read—

"A portion representing not more than one-fourth of the purchase-money may, if the County Council think fit, be secured by a perpetual rent-charge, which shall 'not' be redeemable in manner directed by Section 45 of the Conveyancing and Law of Property Act, 1881, with respect to rent-charges to which that section applies."

My contention is that even if you omit the words proposed to be omitted,

*Mr. Heneage*

instead of inserting the word "not," the Conveyancing and Law of Property Act will still apply to this clause.

\*(7.55.) MR. JEFFREYS: I hope the right hon. Gentleman will not accept this Amendment. We are going to give land to some of our labourers, and I think they should have it on the same terms as we possess ours. There is nothing more unpopular than to have these charges placed on the land. The whole tendency of present-day legislation is to sweep them away, and I cannot understand why we should legislate to create freeholders and then burden them in this fashion. I quite appreciate what the Member for Bordesley (Mr. Jesse Collings) said about the money-lenders. It would be unfortunate if those men were able to get the freeholders into their power, but I think that is not likely to be the case. I am sure the yeomen of England are not people you can easily get over. They are quite as capable of looking after their own property as we are, and I do not see why we should impose this charge upon them and so prevent them from obtaining the freehold of their land.

(8.0.) MR. SHAW LEFEVRE (Bradford, Central): It appears to me that the effect of this Amendment would be to create a new form of tenure of land. Speaking for myself, I do not think that would be desirable. The holdings so affected would be subject to all the restrictions and disabilities contained in Clause 7. It would be necessary that they should be cultivated by their owners for agricultural purposes alone, and they would not be allowed to subdivide or re-sell any of the land to smaller people, even after they had paid off all the purchase-money except the rent-charge. It appears to me that the Bill already goes a long way in the direction of my right hon. Friend (Mr. Heneage), because as long as the rent-charge remains unpaid the land will be subject to the restrictions of Clause 7, and a certain process involving some difficulty will have to be gone through before the owner can get rid of that charge. If the words objected to are allowed to stand in the Bill it will always be possible for the purchaser, by going to the Copyhold Commissioner,



to get rid of the rent-charge and secure his freehold. I believe that these small holders will desire to be in the same position as others possessing land, and I shall therefore oppose the Amendment.

\*(8.3.) MR. WINTERBOTHAM (Gloucester, Cirencester): I utterly disagree with the right hon. Gentleman who has just spoken, and I hope we shall go to a division on this Amendment. We aim at creating under this Bill, by the help of the national credit, a class of men who shall themselves cultivate their holdings, and we object to having a repetition of creating such holdings every generation. If, however, this Amendment is rejected, we shall have to do the same work over and over again. The House has no right to use the national funds for the purpose of creating a class of individuals who directly they have paid their instalments for ten years may go and make a profit by selling their land to someone else, or by becoming landlords. The Select Committee have recommended that a certain rent-charge should remain the property of the community, and that the ownership should be conditional upon the *bona fide* occupation and cultivation of the land by the purchaser. I hope, therefore, we shall go to a Division upon this question, and try to prevent any need for a repetition of what we are now doing by this Bill.

MR. HERBERT T. KNATCHBULL-HUGESSEN (Kent, Faversham): I hope the right hon. Gentleman the Minister for Agriculture will not accept this Amendment. I believe if this quit-rent is not made redeemable it will be the greatest obstacle to the success of this Bill. As to the question of the money-lenders I confess that that argument had some weight with me once, but I think if these small holders are to fall into the hands of these gentry they will not be prevented from doing so by any quit-rent. If you really believe this Bill is for the benefit of the country, and will create a class of landowners who will continue on the soil and restore again that class of yeomen who are gone, I do not think the House should attach conditions to their ownership which, to say the least, will not make them very grateful.

MR. R. T. REID (Dumfries, &c.): I do not think some hon. Members

opposite quite understand the Report of the Select Committee. That Report is one of great ability, and it goes fully into this question, and for reasons of a most conclusive character recommends that there shall be a different class of tenure from the freeholders in regard to these new holdings. The reason why that Committee—and I am speaking from memory—recommended in substance some form of tenure of the kind proposed is this. Experience shows that there is a great tendency in land to accumulate in some parishes into a few hands, and it is most desirable to provide in some way or other that the land obtained for small holdings by means of the public funds shall be consecrated to that purpose for the future; otherwise this House may be compelled to do over and over again the same work that the right hon. Gentleman is desirous of doing now. The spirit of the Report of the Select Committee is that something should be done to make these small holdings perpetual. This is the very pith of the whole thing recommended by that Committee, as I think the Attorney General will find if he has a copy of the Report with him.

(8.8.) THE ATTORNEY GENERAL (Sir R. WEBSTER, Isle of Wight): I think my hon. Friend the Member for Dumfries a little exaggerates the strength of the recommendation of the Select Committee. I do not, however, propose to deal with that any further, but I should like to say a few words on the principle of the question now before the Committee. The real question is, are you or are you not going to restrict the ownership of these small holders? The view my right hon. Friend (Mr. Chaplin) has taken is that if we are going to create this class of proprietor the County Council should be secured so far as instalments of the purchase money are concerned, but that when the purchaser has shown his solvency and comes with his purchase-money and says, "Make me a freeholder," no restrictions ought to be imposed on his ownership. On what principle of equity or right can restrictions be imposed by the County Council which no other freeholder has imposed upon him? It is a mere incident in connection with this question whether or not there is a quit-rent. The mere ex-

istence of such a charge will not, I think, prevent the evils which the right hon. Member opposite seemed anxious should be prevented. Certainly experience does not lead me to the same conclusion as he has arrived at. The right hon. Gentleman (Mr. Chaplin) has several times laid down the principle, and I support him, and I believe the principle finds acceptance on both sides of the House, that if you are going to create this class of peasant proprietors you must secure to the County Councils the payment of the instalments, and see that the land is not starved and thrown back in a worthless condition on the hands of the County Council. But when a man has shown his solvency and has proved by his industry that he is without doubt the class of man which it is hoped to benefit by this Bill, then you can act differently. It will not do always to keep these small peasant proprietors in leading strings; they must not be prevented from becoming the absolute owners, and we think all that the County Council ought to do is to see that the money will be paid, and having secured that object we fail to see why all restrictions on the ownerships should not be removed. I am very much in sympathy with the Member for Bordesley in the object he wishes to attain; but I think he has shown in this matter that simplicity of character which marks everything he does. Now, I on the other hand belong to a profession which is naturally brought very closely in contact with the troubles of life, and speaking from experience I venture to say that if a man is going to borrow money no quit-rent will save him from the money-lenders. The only effect of this will be that when the money-lender finds that borrowers have a charge upon their holdings he will be all the more exacting in the terms which he imposes, and will get much higher interest. I am glad the House adopted the 20 per cent. instead of the 25 per cent. to be paid down, because that will give all the less room for the money-lender to screw. The real question is, Is it or is it not desirable that the land should be fettered by restrictions? When a man is in a position to become the actual owner of the land you ought not to impose restrictions beyond the payment of the in-

stalments. I care not whether you call it rent-charge or instalment, it is merely a matter of phraseology, but I do say that when a peasant proprietor becomes the owner of the land he ought to be allowed to deal freely with it. Our idea is that this rent-charge, though it is perpetual, shall be redeemable, and that is the idea to which effect is given in the Bill. The hon. Member for Bordesley thought this was a confusion of terms, but it is nothing of the kind. It simply means that in fixing a rent-charge we do not fix it on the basis of a sinking fund. The rent-charge should be redeemable in a way which is found to work well, and we do lay it down as a principle that when the peasant proprietor has become the absolute owner he should be left unfettered and unshackled to deal with the land as he likes.

(8.15.) MR. HALDANE: We on this side of the House say that the reason why we should differentiate this class of owners from any other class is that we are asked to make use of public money in order to create their position. Another reason is that we do not wish to create a class of small proprietors only; we wish to put a certain class upon the land, and to keep them there. If the plan of the Government is adopted the result will be to create a number of small holders, who may deal with the land not as agriculturists or small farmers, but may in the end become a large class of absentee landlords. These are the grounds which this Amendment raises, and upon these we feel it our duty to insist.

(8.17.) MR. JESSE COLLINGS: Will the Attorney General tell us what is the object of this Bill? I understood it was to create owners of the cultivating class, and I hold that if a man wants to get a small holding with which he can do anything he likes besides cultivate it, he should buy the holding for his own benefit outside of this Bill. I would refer the Attorney General to the fact that this is not a new kind of tenure. It exists in Holland, especially in the northern provinces, where the farmers are the most prosperous. There you find precisely this tenure with a perpetual quit-rent and considerations, and according to the observation of those who have seen the system, the farmers in that

part of the country are, as I have said, the most prosperous in Holland. In Denmark you find a precisely similar class, and here, again, there is greater prosperity than in any other class. They consider that for all cultivating purposes they have absolute ownership; and we think that if we go outside this purpose and allow a man to speculate in land, we ought not to use the public money. Further than this, we must look after the interests of the small cultivators. The city tradesman would be delighted to buy a plot of this kind, and put a profit on it, and be the rent receiver, and we want to protect the small cultivator from that. Suppose after some years there is an auction of a small holding which has been made a freehold in the way that is now proposed. How will the poorer class of cultivators have any chance of buying that? But if the holding were sold for a small amount of purchase money with an annual quit-rent, and with the condition of cultivation, the small cultivators whom we desire to put on the land will be able to secure the holdings. If you make these small cultivators the absolute owners, they will be bought out by other people, and the object of the Bill defeated. I had no idea my right hon. Friend (Mr. Shaw Lefevre) was so enamoured of the present system of tenure that he should advocate it as he has done. We think that this Amendment will not at all increase the power of the money lender, and, indeed, if a man has already paid £100, say of £200, he is less likely to want to borrow the money.

(8.24.) MR. SEALE-HAYNE (Devon, Ashburton): I should like to call the attention of some of my friends on this side of the House to the fact that they have gone astray from old Liberal principles. There is I know a hope prevailing amongst them that the County Council will be able to acquire for themselves a rent-charge which hereafter will be applicable to the relief of the rates. I think I am right in assuming that that is what they have in view. But how do they propose to attain that object? They propose to do it by taking from the small cultivating owner, the small labouring man, a portion of the interest he is to pay to the State, and to accumulate that

money in the hands of the State at the expense of the small holder. Then what is the next step? The persons who will be relieved are the ratepayers, and the rates we know ultimately come out of the pockets of the landlords. That is a fact which is perfectly well-known on both sides of this House. They do not come out of the pockets of landlords during the existence of long leases, and therefore we are anxious to get rid of long leases, but in the end they come out of the pockets of the landlords. Therefore you will be taxing the small cultivator to put money in the hands of the rich landlord, for that is the upshot of the policy. I speak for the small holder, for I know what the small holder wants, at all events in my part of the country. He wants what this Bill unfortunately will not give him—land at an easy rent. It has been objected that these small properties will fall back again into the hands of the big landlords. We are passing this Bill as an antidote to that, and we believe that this Bill will be an effective antidote. With respect to this Amendment, I hope the right hon. Gentleman will stick to his guns.

(8.28.) MR. HENEAGE: The hon. Member was not present when the Amendment was moved. It does not in any way add to the cost of the purchase. The only question is whether the rent-charge should be made for ever or whether it should be redeemable by money. There is no proposal whatever in my Amendment that anything should be added to the costs of the purchaser, such costs to go into the pockets of anyone else. I admit, however, that there is a flaw in the Amendment in carrying out what I desire; and in order to raise the question more definitely, I think it would be better to withdraw this Amendment, and divide on the word "not."

(8.28.) MR. CHAPLIN: I rise for the purpose of making an appeal to the Committee, and asking whether the time has not come for us to go to a division on this Amendment, which has been before us so long. The right hon. Gentleman attaches very much more importance to the point he has raised than I do, and I must say I am honestly convinced that the course the Government propose is the right course to adopt. I cannot conceive anything

more deterrent to intending purchasers than the knowledge of the fact that for all time to come their land will be subject to a charge of which they cannot get rid. Englishmen wish to be owners of their land. That may be an old sentiment, but it is perfectly true, and so far as my experience and knowledge go, by insisting on this charge you will be doing much to deter purchasers. I only wish to say one or two words in regard to the theories concerning the future of these freeholders. The Committee must remember that although it is perfectly true that there have been in years past a great number of freeholders who have come to an unfortunate end, they obtained possession of their properties in different times, and under very different conditions to those under which they would obtain them at the present day. They bought when land was dear and the prices of produce were high, and when prices fell these unfortunate people were in a condition of extreme difficulty; but they flourished so long as prices were high. If that is not so, how is it that in past years numbers of freeholders in Lincolnshire existed in prosperity till the depression came ten or fifteen years ago, when my attention was first called to the great trouble and distress they suffered? For these reasons I must, I am sorry to say, oppose the Amendment of my hon. Friend, and I should be glad if the Committee could now come to a decision upon it.

\*(9.5.) MR. THOMAS H. BOLTON: I would remind hon. Gentlemen here that there are not only first mortgages, but second, third, and fourth mortgages, and, if you like, subsequent mortgages of estates; and, therefore, the proposition that because you have a mortgage on a property it becomes unmortgageable is nonsense. And then, with reference to the proposition that if you have a rent-charge upon a property you make it less capable of being mortgaged, that is equally fallacious. An enormous amount of property in this country consists of leasehold property. That property invariably is subject to a ground-rent or a rent-charge; and that property, subject to a ground-rent or rent-charge, is the object of continual and repeated mortgages. An enormous proportion of the property of

London is leasehold, and all this leasehold property is continually mortgaged, all subject to ground-rent or rent-charge, and various annual payments. To talk about the existence of a rent-charge or fee farm rent, or whatever you please to call it, in connection with these small holdings, as a protection against the power of the proprietor to mortgage is absurd. The truth is that these conditions which you propose should be placed upon the small holders, so far as they have any effect, will be detrimental to them and to the property which you propose to vest in them. We have been told that these people ought to submit to these conditions because they are not getting the land by money of their own, but by the aid of public money. Well, that is very true, but the public money is to be advanced as a matter of State policy. It is not only for individual advantage, but it is a matter of State policy. This is not the only case in which the State has come forward to encourage property for the benefit of a certain class. There have been Acts of Parliament under which public money has been advanced for the purposes of workmen's dwellings and small holdings in towns. An hon. Gentleman, still a Member of this House, I believe, has received a very considerable amount of public money on easy terms to encourage him in erecting artisans' dwellings. If unnecessary and unreasonable conditions are insisted upon, they will work the greatest hardship upon the poorest persons — those whom you most desire to encourage. You should make the holdings as free and attractive as possible, and not put them under conditions which will deter people from taking them, or will, if they take them, place them under very great difficulties. It would be an enormous advantage to create small holdings by free purchase and sale. When the supply increases you meet the demand; it may be that a number of these holdings may be owned by small landlords, but then there will be small holdings in the market; and as there are more, there will be more properties of that kind to offer; and those who rent them will be able to get them at less rent, and, even if what the hon. Member for Bordesley anticipates does happen, still

*Mr. Chaplin*



it will not be the disadvantage that he ventures to imagine. The hon. Member seems to think there should be no inducement to the thriving tradesman in the town to lay out his money in acquiring small holdings. If the thriving industrious tradesman in the town lays out his money in this way, it will be a very good thing, because he will increase the number of small holdings and increase the supply of them. I believe there is a considerable demand for small holdings; and if landowners had the means at their disposal, there would be a great many properties cut up. But the fact is, that it is a matter of expense, and that the return received in respect of these small holdings is not sufficient, in a financial point of view, to draw capital into the cutting up of the land. Therefore, small holdings ought to be encouraged by legislation like this. Of course, if the demand for these small holdings should fall off, then you are landed in some difficulty, but that is hardly the basis of any argument used by the hon. Member (Mr. Jesse Collings). I am very much surprised to find that hon. Gentlemen on this side of the House, who always pose before the country as men in favour of "free" land—land free from all restrictions—are now proposing to create a class of property in this country subject to all sorts of objectionable restrictions—the very restrictions which they have in the past been endeavouring to get rid of. I hope, in dealing with this matter, the traditional policy of the Liberal Party will be followed rather than the new-fangled notions of some eccentric politicians who have latterly become identified with novel and exceedingly peculiar notions in connection with landowning in this country.

\*(9.17.) SIR W. B. BARTELOTT (Sussex, North-West): I give my hon. Friend the Member for Bordesley (Mr. Jesse Collings) every credit for having introduced this question, because I believe he seriously thinks that it would be the best way not only of helping the labourer, but also of protecting the ratepayer; but I will venture to say that that is a great fallacy when you come to deal conclusively with men of the type whom he hopes to place on that land. The first question they will ask is—"Are we to be treated in the

same way as other men are treated who are owners of land?" The answer will be "You are not." It will at once appear to them that you are not going to trust them as I think they ought to be trusted; and if you wish to prevent men from becoming occupiers or small proprietors then that is the course that you should pursue. No one who knows anything about the conditions of land at the present time will say that it is a particularly inviting time for a man to take land. I will venture to say, and I will venture to say it strongly, that if I had to advise a man with regard to a little money he had at this particular juncture, I would say: "Don't invest it in the purchase of land at this particular moment. You may depend upon it that if you do, although the land may appear to be cheap, and although you may be in a position now to think you will be able to do well, look at those who surround you and see how many of them at this present moment whom you think in good positions and with money are able to pay their rents." I will say that a man investing at this particular moment in land is more likely to lose his money than he would be to gain anything by it. I say it honestly and openly, because I know it to be a fact; and I am going a step further. Suppose this man finds himself in this difficulty; suppose that, having got a small property, he is anxious, more or less, to get rid of it. In what position is the property placed by being hampered by this restriction? It will not be in the same position for sale in the market with that restriction hanging around it as if it were absolutely free. I venture to hope my right hon. Friend will stand to what he has put in the Bill.

(9.20.) MR. STOREY: The right hon. Baronet who has just spoken is, I think, under a little misapprehension. He said if you want to help the labourer you must do so and so; but what I wish to represent to him is that the precise point to be considered has nothing to do with the labourer at all. The labourer is a man who is going to be provided for under a different clause of the Bill. He is the man for whom the County Council is going to buy land, and to whom it is going to let land. But what we are considering

at the present moment is a number of persons who must be better off than any of the agricultural labourers we know in the north or anywhere. They must be better off, because those persons with whom we are dealing now are men who must lay down 20 per cent. of the purchase money of their farms, and who, after providing the money to stock them, must work them at their own expense. Now, the right hon. Baronet will admit that a man of this class cannot be a labourer, and is not a labourer, and is not meant to be a labourer. We are not discussing any question of advantage being given to labourers, because even if we were, even so base a Radical, according to my hon. Friend the Member for South Pancras, as myself would cordially join the right hon. Baronet in doing anything we could for the labourers. We do not object to that portion of the Bill, but what we are considering at the present moment is the proposal of the Bill as to these better-to-do persons. What we have got to say about that very shortly is this—that in our judgment, if you are going to use the public money for the purpose of creating a new class of landowners, common-sense says, if political exigencies do not—Surround these minnows with such restrictions by law as will prevent them from being absorbed by the Tritons around them. What is the tendency of all economic laws at the present moment, and what is our knowledge of the past? A man gets a farm, a little freehold; he lives upon it, and works upon it. By-and-by he has a son—the right hon. Gentleman spoke of Lincolnshire, but I am telling a history which could be repeated a thousand-fold in the further north—the son goes to college, gets a little better education than his father, and gets notions. He may enter into a profession; he goes back to the little ancestral home, but it is not big enough for him, and he lets the farm. Then he goes to the town, and marries a wife, probably, and has children in his turn. Those children have notions, and by-and-by they get out of the father's occupation, and the proceeds of the little farm as let, do not satisfy him. He has to mortgage it, and he changes it and changes it, and at last

when he has to sell, and who buys it? Not another occupying owner, whom we should be glad to see in possession. “An Amuranthan Amuranth succeeds.” If after one occupying owner comes out of possession of the land another succeeded, the public would have nothing to complain of. But what the experience of the past teaches us is this. There sits the little owner, and close to him is the great landowner who does not care about the economic value of the land. What he is looking for is territorial position and political power, and he will go and buy out the little occupying owner whom we want to have in possession, and he will add Naboth's vineyard to Ahab's possessions. That may be very advantageous to the limited class, but it is undesirable in the interests of the community at large. We want to build up the ancient occupying owners of the land. And we propose a Bill—not we Radicals; it is not necessary for us to propose reforming or revolutionary Bills now-a-days; we can get it done by right hon. Gentlemen opposite. They propose a Bill, and say it is for the purpose of creating occupying owners—hard-working men who will take off their coats and dig or plough the land and be content with the fruits thereof. What we have to say to the Government is—“Gentlemen, if you are really in earnest in carrying out this proposal—if you really want a suitable proportion of the land of England to be managed and owned by occupying owners who till it themselves, surround your Bill with restrictions which will prevent the rich man from swallowing up the poor. That is the reason—I could not state it with more brevity—why I support the omission of this portion of the Clause. The right hon. Gentleman who moved the Amendment says, in effect, that unless you surround this whole scheme of yours with sufficient restrictions, economic laws will have their effect; the experience of the past will be repeated, and the large landowners around will gradually swallow up the small ones again; and thirty years hence some other Minister, as convinced as the right hon. Gentleman the President of the Board of Agriculture is now convinced, will come and re-propose this method, and will take public money

Mr. Storey

again to create occupying owners, only to learn that unless he surrounds the thing with restrictions he will never succeed. There was one objection made on the opposite side to this proposal, and that was that, in itself, it was not of value. I freely admit that. But I think the hon. Member who spoke from the Bench above me put the case very clearly and neatly and sufficiently when he said that although the Amendment in itself is insufficient for the purpose, yet, if viewed in relation to Clause 7, to which, in a week or two, we shall probably come, the Amendment is very desirable and very substantial. It is for that reason that I support the Amendment. The right hon. Gentleman will not accuse me of being a supporter of his Bill. I told him frankly from the very first I was not. I think in this respect it is a huge sham. So far as it enables labourers to secure land by letting it will be valuable; but I think, as to the selling of land to occupying owners, it is a huge sham.

MR. JESSE COLLINGS: No, no!

MR. STOREY: I am sorry my hon. Friend the Member for Bordesley does not agree with me.

MR. STOREY: He knows very well—

THE CHAIRMAN: Order, order!

MR. STOREY: I submit that it is entirely to the question that I should reply to my hon. Friend, who disagrees with me as to the suggestion that the Bill, so far as this sub-section is concerned in the creation of peasant proprietorship, is a huge sham, because the right hon. Gentleman will not consent to omit the words which it is proposed from these Benches to omit, and thus enable the County Council to prevent the occupying owner from being ousted from the land by the great gormandising land owners in his immediate vicinity. If it is thought that a statement like that is out of Order, all I have to say is that I and my father before me have seen the old statesmen of the country—or those you call the yeomen—through their own weakness, and the strength of the great landowners one by one driven from the land which has thus come into the hands of a comparatively small number of persons. What I have to say about

this Bill is that the right hon. Gentleman may, with the help of the Liberal Party, pass this clause, and live in the hope—it can be but a vain hope—that by its means he can put thousands of persons on the land as occupying owners; but I venture to say that unless he leaves to the County Councils control over the holdings, he will see the time arrive when the whole of these small landholders will be driven again out of the possession of the land. I hope it will be realised by those who are in charge of this Bill that the objection we take to it is deep-rooted on this point. We are not opposed to the proposal to let land to the agricultural labourers; but we do object to the money belonging to the general body of ratepayers being used in order to benefit a certain number of large landowners. I, therefore, shall support the Amendment of my hon. Friend.

Question put.

(9.40.) The Committee divided:—Ayes 112; Noes 79.—(Div. List, No. 126.)

MR. JESSE COLLINGS: I now beg to move—

In page 3, after line 24, to insert (a) "The rate of interest charged by a County Council on all unpaid purchase-money shall be at the rate of one per cent. above the rate of interest paid by the County Council to the Treasury at the date of such advance; (b.) All unpaid balance of purchase-money, and all interest thereon shall be a first charge on the small holding."

\*MR. SEYMOUR KEAY: I wish to call attention to the fact that I have an Amendment to move first.

THE CHAIRMAN: It has been already rejected.

\*MR. SEYMOUR KEAY: I have prepared another Amendment, which I think will be in Order. It is as follows:—

In page 3, line 15, after the word "and," to insert the words "shall include the portion of such purchase-money as is secured by the perpetual rent-charge."

THE CHAIRMAN: It is the same as was negatived on the last sub-section.

\*MR. SEYMOUR KEAY: With all respect I would explain that my object in dropping my former Amendment, and of proposing this one—

THE CHAIRMAN: The hon. Gentleman is under a misapprehension if

he thinks he dropped the former one. It was negatived.

MR. JESSE COLLINGS: What the hon. Member seeks—

THE CHAIRMAN: The hon. Member for Bordesley should confine himself to his own Amendment.

MR. JESSE COLLINGS: The object of my Amendment is to secure for the County Council some return for the money which it will borrow for the purchase of small holdings. The Local Authority will only retain that margin which is due to its superior credit, and a consequent advantage is that the ratepayers would be absolutely secured from loss, and this margin of one per cent., if invested as a Sinking Fund would, in addition, in course of time recoup the ~~County Council~~ and leave the authorities in receipt of a permanent income from the holdings. No harm would be done to the purchaser, who would get the money at the lowest rate; and, further, the inhabitants would be interested in this Bill, as they would not only be indemnified against loss, but, as a locality, would also be in receipt of an income from these small holdings. The rural districts would be greatly benefited, and the ratepayers would receive nothing more than justice. I could say a good deal more in favour of the Amendment; but I am anxious not to detain the Committee, seeing that many arguments have been addressed to this particular Amendment, although it was not then before the House.

Amendment proposed,

In page 3, after line 24, to insert—“(a.) The rate of interest charged by a county council on all unpaid purchase money shall be at the rate of one per cent. above the rate of interest paid by the county council to the Treasury at the date of such advance; (b.) All unpaid balance of purchase money, and all interest thereon, shall be a first charge on a small holding.”—(Mr. Jesse Collings.)

Question proposed, “That those words be there inserted.”

MR. CHAPLIN: The hon. Member is perfectly correct in saying that we have already had a considerable number of arguments advanced in support of the specific proposal contained in the Amendment. But there are three objections to the Amendment, which the hon. Member will perhaps permit me to point out. In the first place, I believe it to be unnecessary, as the

County Councils can already charge the scale of interest he specifies if they are desirous of so doing. If the hon. Member will look two or three lines ahead in the Bill he will see—

“That the purchase money is to be repaid by half-yearly instalments with such interest as the County Council may decide;”

so that it is clearly within their power to charge the rate of interest he lays down. I also think it is objectionable that the County Council should be compelled by a rigid law to charge a certain interest. My hon. Friend says the ratepayers would get some benefit, but from whom? From the very people in whose interest this Bill is brought forward. And now I come to the third objection contained in the second sub-section he moves. In that sub-section he proposes that the unpaid balance shall be made a first charge. There is here a difficulty which I have endeavoured to avoid in drawing up the Bill. There may be existing charges, as for instance, for drainage or for land improvement or something of that nature, on the land which is purchased by the County Council; and it would be impossible, therefore, to over-ride those and make the first charge in this cost. In addition to these objections, I think every hon. Member will see that the County Councils are the people who must look after their own interest in this matter; and we may depend upon it that they will not advance the money until they have got good security. For these reasons I am opposed to the Amendment.

MR. BARCLAY: I hope the House will not agree to this Amendment, which proposes that the County Council shall make a profit of 35 per cent. out of these unfortunate people. I hold that the success of this Bill depends entirely upon the small purchaser getting the holding at a reasonable price, and I believe the interests of the measure will be best served by allowing the County Councils to make the best bargain they can.

MR. STOREY: The aim of such criticism as I have offered in connection with this Bill has been to give the Local Authorities as much control as possible. I am sure that in making these advances they will secure themselves against loss; and here I may venture to point out to the hon.



Member for Bordesley (Mr. Jesse Collings) that in Clause 12, Sub-section 3, he will find that the Public Works Loan Commissioners may lend money

"at such rate of interest not less than £3 2s. 6d. per cent. as the Treasury may authorise as being in their opinion sufficient to enable such loans to be made without loss to the Exchequer."

Now, if that be the principle, I think it cannot be denied that the Local Authority would be perfectly justified in lending the money on such terms as would enable them to escape without loss. In doing so, they would clearly have to take account of the chances that some would pay, and that some would not pay, and fix upon such a rate of interest as would cover that possibility. I think it will be found, both as to the residue and as to the rent-charge, that the County Council will take care that the money they advance shall be advanced for such interest as will not only secure them against the possibility of future loss, but also leave a small amount in pocket; and to this I hold that the ratepayers are entitled, seeing that they provide the purchasers with security of position, ownership of land, and all the possibilities of being independent. That is a point on which we differ from the right hon. Gentleman. I think my hon. Friend might safely leave this matter to the County Councils; and, speaking for the North, I know those bodies will view the security of the ratepayers as their first duty. I hope the Amendment will be negatived.

THE CHAIRMAN: The hon. Member's Amendment would not be consistent with the words of the previous subsection, and, therefore, is not in Order.

(10.5.) MR. HALDANE: I beg, Sir, to move the following Amendment:—

In page 3, after line 37, add—“(9) The County Council may repurchase a small holding or determine any existing lease thereof at any time by agreement; and they may repurchase a small holding or determine any existing lease thereof at any time compulsorily for any purpose of public improvement, or local utility, or for building purposes, or because the land is capable of being used more profitably than as a small holding; and the price to be paid on any such repurchase or determination of an existing lease of a small holding shall be based upon the value of the land as land held as a small holding, together with all unexhausted improvements made thereon, and ten per

centum for compulsory purchase, and a proper allowance for loss of fixtures, or acts of husbandry, deducting therefrom any sums due to the County Council: Provided that nothing shall be paid by the County Council for any increased value of the small holding which has accrued since the time when it was sold or let by them, and is due to the increase or movement of the population in, or to the industrial or other developments of any town or other populous place in the neighbourhood of the small holding, and not to any improvements or acts of management made or done by the owner or lessee of the small holding or any previous owner or lessee thereof.”

We are by this Bill creating a new form of tenure which applies only to the future, and it seems to me only reasonable that the County Council shall have the power to compulsorily buy the land by paying compensation.

Question proposed, “That those words be there added.”

(10.7.) MR. CHAPLIN: I can quite understand that circumstances may arise under which it will be desirable that small holdings which have been provided should be acquired for purposes of public improvement or utility. But the County Council have the power to do so now by precisely the same method as other land can be taken by them for various purposes. I think, therefore, that the Amendment is quite unnecessary. I can conceive nothing more likely to make the Bill a dead letter and deter people from the purchase of small holdings than a provision giving the County Council the power to step in and take away, by giving a miserable compensation, the small holding of a man on which he has established a home for himself and his family, and to which he has been looking for the future. I can imagine nothing that will more effectively prevent the Bill coming into force.

MR. HALDANE: I do not wish to take up the time of the Committee by a division on this matter, if as I think there is a general feeling against me. (“No, no!”) In that case I will leave the matter to the Committee.

\*MR. MORTON: I consider, Sir, that the part of this Amendment which relates to the compulsory acquisition of land for public improvements is of considerable importance. As long ago as 1817 an Act was passed giving the authorities in London power to take lands for public improvements, so far as widen-

ing or lengthening of streets is concerned, and that has been of great value. I am certain that the improvements which have been carried out in the City of London could not have been done but for that Act, because the expense of coming to Parliament each time an improvement was decided upon would have been too costly. If the hon. and learned Member would limit his Amendment to that part which refers to public improvements, I think it would be a very useful one indeed.

Question put, and negatived.

Clause, as amended, agreed to.

Clause 6 agreed to.

MR. JESSE COLLINGS: I beg to move the following Amendment:—In page 4, line 5, to leave out from the word “shall,” to the word “be,” in line 7. The clause as it stands runs thus:—“Every small holding sold by the County Council under this Act shall for a term of ten years from the date of the sale, and thereafter so long as any part of the purchase-money remains unpaid, be held subject to the following conditions.” It will be seen that the object of this Amendment is to make the conditions permanent. As the clause stands now all the conditions provided will cease after a certain time and the holders will be then able to subdivide their holdings, build on them, or do anything they like with them.

Amendment proposed, in page 4, line 5, to leave out from the word “shall” to the word “be,” in line 7.  
—(*Mr. Jesse Collings.*)

Question proposed, “That the words proposed to be left out stand part of the Clause.”

(10.12.) MR. J. CHAMBERLAIN: This is really a very important Amendment, and I hope the Government will carefully consider it. When we were discussing at an earlier part of the evening the necessity of applying certain conditions to the creation of these holdings, I think there was a universal feeling in the House that such conditions were necessary. But it was stated by my hon. Friend opposite that legally speaking it was not possible to secure these conditions by the establishment of a rent-charge. As I

understood him a rent-charge would not give the legal power of enforcing the conditions, but he said all that is necessary is that there shall be statutory conditions which could be otherwise enforced. Well, I need not say that the argument of my hon. Friend involves the admission that the conditions are desirable, and I certainly understood him to speak from the position of one who supported the conditions. The important conditions in this clause are that the holdings shall be cultivated by the owner, and shall not be used for any purposes other than agriculture. Now, what is going to happen under this clause as it stands? A slice is to be taken out of the landlord's estate for the purpose of creating small holdings. Ten years after this sacrifice has been made the small owner may sell his land, and a factory may be erected upon it by the persons who would have become the successors in title. That is a state of things which Sub-section (b) is intended to prevent. I think it would be intolerable that the land given up for this national purpose should hereafter be used so as to be a nuisance to the whole neighbourhood, and especially to the estate out of which it has been created. The next sub-section was that the holding should not be sub-divided or let without the consent of the County Council. Is it really the intention of the Committee to create a congested district upon the estate? because that is a possibility we should keep in view. We know it has often been said that the great danger in connection with small holdings is that when the original small holder dies his estate may be cut up into holdings too small to satisfactorily provide for the subsistence of a number of families, and that you would get a pauperised population on the ground. That is prevented by the sub-section for ten years, but why should it not be permanently impossible? If it is right for ten years it is right permanently, and the whole public purpose Parliament has in view would be lost if after ten years the holding might be cut up into an indefinite number of smaller holdings perfectly incapable of supporting the families residing upon them. The same remarks apply to the other conditions, which I am quite

*Mr. Morton*

sure everyone will agree are necessary to secure the comfort of the people who are hereafter to be small holders. I think that the Government having devised these very skilful and satisfactory securities against the abuse of the privileges, should make them permanent statutory conditions, and should not limit them to a period of ten years.

(10.20.) MR. BARCLAY : This Amendment deals with a very important question—namely, the tenure on which these holdings are to be held. I should be extremely sorry if this Bill were to create a new class of small landlords, with all the powers possessed by the present owners. The present system has already broken down in Ireland, and though hon. Gentlemen opposite would, perhaps, not like to admit it, it is fast breaking down in England, and I hope Parliament will not sanction the creation of a new class of small landlords, which would be still more objectionable than the large landowners. There are now a number of small landlords who let on yearly tenancies or for a period of years, and I am informed that the tenants of these small landlords are in a most miserable condition, and far worse off than the tenants of the large landowners. I hope, therefore, the House will very carefully consider the conditions on which these small holdings are to be held. My proposal is that if the small holders do let, the tenants who occupy shall be placed in the position of the Irish tenants under the Irish Land Act. The objections to the present system are that the landlord can turn out the tenant at will, he can appropriate the tenant's improvements and he can raise the rent. We must place the tenants in such a position that they will be protected from the landlords, and I have on the Paper a new Sub-section which proposes that if the new landlords let their holding, it shall be let on perpetuity of tenure, that the rent shall not be occasionally raised, and that the lease shall be assignable. With these conditions I think we should achieve the object we have in view, and we should give the cultivator what he wants—perpetuity of tenure and a fixed rent.

\*(10.25.) MR. THOMAS H. BOLTON : Most people will sympathise with

the object which the Member for West Birmingham has in view, but I hardly think he has considered the effect which these conditions will have upon the property. It is suggested that if the property is to be sold by the peasant owner the original owner and the County Council are to have rights of pre-emption. To that I object altogether. The holding is not to be used for any purpose except that of agriculture. That is all very well for the first occupier, who perhaps is an agriculturist; but his son, to whom he may leave the property, may not be an agriculturist and could not carry on the cultivation of the land. Is the owner to be debarred from leaving his holding to whomsoever he pleases? If the holder wants to let, the consent of the County Council must be obtained. I must say that though I have a good opinion of County Councils, I doubt very much whether the control of the County Council in a matter of this kind is calculated to add to the value of the land. Then we are told that there is not to be more than one dwelling house upon it. It may be a very desirable thing that there should be more than one dwelling house; but if a second is erected, the Local Authority may interfere. That, again, is not calculated to improve the value of this property, or to make it attractive as an investment. The object of the Bill is professedly to induce careful people, whom we want to benefit, to put their savings into the land—as the President of the Board of Agriculture expressed it, we want to make a ladder by which the agricultural labourer can climb into the position of a small farmer. I say that the man who cultivates must have the inducement that he can dispose of the land if he wishes with the tenant right put into it; and if you hamper him with conditions, you will discourage both investment and cultivation—if you impose all these conditions, you will tie the land up more completely than under a settlement. We have often heard from these Opposition Benches of the iniquities of settlement and restrictive covenants; and here restrictions are proposed from this side of the House which are practically more offensive than any restrictions of settlement. The small holder would be almost in a

condition of servitude to the land. All this is opposed to the principles which have influenced men on this side of the House in the past, and I hope the right hon. Gentleman, instead of extending the clause, will see his way to modify it. I can quite understand that while the County Council has money upon the land they should keep the control, but when the purchaser has paid off the County Council, it is monstrous that he should have to submit to these arbitrary and unfair restrictions.

(10.33.) **MR. MARJORIBANKS** (Berwickshire): The hon. Gentleman who has just sat down has made a speech which can hardly refer to the Motion before the House. He attacked all the conditions of this clause and made a speech against the clause as a whole, but except in a very small part of his oration he did not deal with the Amendment at all. It seems to me that under this Bill we are creating a new tenure in land altogether, and we are creating that tenure for a special purpose—the purpose of setting up a number of small holders on the land with a beneficial effect from an agricultural point of view. It does seem to me if we are to undertake this work—good work, I believe—at the expense of the ratepayers, we are justified in saying that the land which the ratepayer provides for these small holdings for agricultural purposes shall be restricted to those purposes. If any benefit is to be got from the land, we have all along contended that the County Council ought to get it, and that is why we wished them to have power to lease or feu the land. It has been decided that they shall sell these small holdings; but I think if the holders use it for other purposes, such as building, the increased value should be for the benefit of the ratepayers, and not be handed over to the small holders who got the land for agricultural purposes. For these reasons, I shall certainly support the Amendment.

(10.37.) **MR. STEPHENS** (Middlesex, Hornsey): I hope the right hon. Gentleman will accept the Amendment, because I am sure it will provide more facilities to the County Council in dealing with the owners of land. If the Amendment is accepted, the clause, as amended, will offer great security to

the landowners that the land which the County Council is buying expressly for agricultural purposes will not, after a period of ten years, be turned to other purposes, such as the erection of a factory or dwellings. I think that is a fair security to offer the landlords, who will possibly part with their land to their own loss and the injury of their estates. We are going to assist the small holders with money from the State, and they must expect that some conditions will be attached to their holdings; and for that reason the proposal of the Government, especially if amended as suggested, ought to commend itself to the Committee.

(10.39.) **MR. CHAPLIN**: I do not think my hon. Friend behind me has been in the House during the whole of the evening, or he would know that the course he recommends would be absolutely inconsistent with the very argument which we have been using in the course of the debate. We have been contending that when the money has all been paid for the holdings the land ought to be held on terms not different from those on which other freehold land is held, and ought to be free. It is quite true, as the hon. Member for Bordesley (Mr. J. Collings) stated, that a great many arguments have been addressed to the Committee in reference to this: but the Committee has already discussed whether or not a certain portion of the money should always remain unpaid, and the question has been disposed of. I regard the conditions as desirable so long as any of the money is unpaid, but the right hon. Member for Birmingham (Mr. J. Chamberlain) must have misunderstood me if he gathered from what I said that I thought the conditions desirable after the money had all been paid. I want to call the attention of the Committee for one moment to some words in the Bill which I think they have overlooked. The Bill provides that the small holdings shall, for a term of ten years, at all events, be held "subject to the following conditions." Now, one of the reasons why these words were inserted was in order to prevent some speculator who is a better judge of the value of land than the owner, going to the owner and buying the land at a perhaps increased price and then using it for other than agricultural purposes.



I think this term of ten years will prevent any transaction of this kind. But I should not object to extending that term for a certain number of years, if that would meet the objections of hon. Gentlemen opposite. The right hon. Member for West Birmingham (Mr. J. Chamberlain) pointed out that there might be cases where the property of the landlord was acquired under the Bill, and devoted afterwards to the erection of a factory, if the conditions were not permanent. But I would observe that that would be the landlord's own fault, for he is not compelled to sell land under the Bill in its present form. If he thinks it desirable to sell the land he must take the risk of the purpose for which it will be used. It appears to me that the arguments put forward in favour of the Amendment—if they are arguments at all—are arguments which tell rather against the Bill altogether; and one of the main objections in my eyes to adopting the Amendment is that it would remove another of the great inducements to people to take advantage of the Bill, and become owners of small holdings. I contend that, as the holdings are held for a number of years under economic conditions, if they become more valuable after that term than at first, the holder, and nobody else, is fairly entitled to the increased value. If we imposed all the conditions we are asked to impose on the small holders, I am afraid we should find the Bill in such a shape that all inducement to become owners would be taken away. For these reasons I hope the Committee will not accept the Amendment.

(10.44.) SIR H. DAVEY (Stockton): I agree with the right hon. Gentleman who has just addressed the House. The Amendment appears to create an entirely new tenure of land. The object of all land reform in recent years has been to free land from fetters and restrictions of any kind. I understand the Amendment imposes on land sold by the County Councils under the Bill the restriction that it should only be used for one particular purpose. That is contrary to what land reformers have been struggling for ever since I have had the honour of taking part in the question of land reform; their object has been to free land from every fetter and restriction imposed on it. The

Copyhold Acts were based on the policy of freeing land from every restriction on its cultivation, the timber on it, and the uses to which it could be put. If the Amendment is accepted you will create a tenure unknown to the law. The law does not allow perpetual restrictions to be imposed on land by contracts between parties; but the effect of the Amendment will be that land dealt with under the Act will be for all time subject to the restrictions in the sub-sections of Sub-section 1. I look forward to that with great apprehension. I join with hon. Members in desiring to see land held in smaller parcels than at present; but I do not think it consonant with sound policy that the land so held should be subject to restrictions which will prevent the owner making the most beneficial use of it. For these reasons, I think the Bill is right as it stands, and that ten years is a reasonable term. To make the restrictions perpetual would be an entire mistake, and contrary to the principles which land reformers have always held.

(10.47.) MR. HALDANE: For, I believe, the first time in my life, I find myself not quite in agreement with my hon. and learned Friend who has just sat down. We are proposing to create a new form of ownership through the medium of public money; to advance public funds to help individuals to become owners of land. Why should we assist them? Not merely for their own sake, but because we believe it is in the public interest; and, that being so, it is within our moral as well as our legal compass to put certain restrictions on the land we help them to obtain. We were anxious to put leasing powers in the hands of the County Council, because we thought that then the County Council would have a more complete grip on the land than by the creation of freeholds. The Government have refused to give those leasing powers; and that, surely, makes our case stronger when we come forward and say, If you do create a freehold tenure it ought not to be the old unrestricted freehold tenure, but one which will subserve the only purpose by which this Bill is justified. I agree that the restrictions of the Amendment are unknown to the law as it is at present; there is a sub-section against

sub-letting which would be treated by law as void without this clause. It would also not be competent for the County Council to impose these restrictions by contract with the holders, and if you do not take advantage of the fact that Parliament can mould the law as it pleases, you are put in a difficulty. Landlords are not compelled to part with land for the purposes of the Bill. Now, I am bound to say if I were a landlord I should hesitate very much before I parted with my land under this Bill; and I will tell the Committee why. For ten years, it is quite true, the landlord has certainly parted with his land for the purpose of creating small occupying owners; but at the end of ten years what may happen? When the landlord has parted with perhaps a good part of his estate, some nuisance may be put up, or some factory. A number of the small holdings may be got together under one owner, who may do what he pleases with the property and make himself obnoxious to the persons living in the neighbourhood. It seems to me, therefore, if you pass this clause in the form in which the Government have proposed it, you will put strong deterrents in the way of landlords calculated to prevent them from taking the course which we all desire them to take. That being so, it seems to me that we have to choose between two evils—we have to face the evil of unrestricted ownership of land, or the possibility of altering the old tenure and creating a new form of tenure. To my mind it would be much better to take the latter course. I do not think I am travelling beyond the views of my hon. Friends here when I say that we should not be satisfied with what the right hon. Gentleman has suggested. What we want done here, and what we are aiming at, is a new form of tenure which will carry out the purposes of the Bill. We are not interested in the matter at all if you are going to create a new ownership which will be unrestricted. If you do so, you may bear the responsibility; but if we are to be consulted, we want something different. It is not a matter of detail; it is a matter of principle. Upon that footing, while recognising the desire of the right hon. Gentleman to meet us where he can—and I think he has shown particularly to-night a desire to facilitate the pas-

*Mr. Haldane*

sage of this Bill—I am bound to say, speaking for myself, that I cannot regard the offer which he makes as one which I feel called upon to accept.

(10.52.) THE FIRST LORD OF THE TREASURY (Mr. A. J. BALFOUR, Manchester, E.): Perhaps I may be permitted to express the hope that the Committee may come to a conclusion on this point without very much further delay. The Government are under a pledge that at as early an hour as possible, they should commence the discussion of the next subject which stands on the Paper to-day—namely, the Motion of my right hon. Friend the Chancellor of the Exchequer with regard to the financial relations between England, Scotland, and Ireland, and that they should not delay the hour of Adjournment for that purpose; and it would be very convenient if the Committee would settle this question before that subject is proceeded with.

\*(10.53.) MR. WINTERBOTHAM: I think it would be in the interests of the labourers that this Amendment should be adopted. A County Council might go to a landowner, whose land lay in the neighbourhood of a village or a town, and say to him, "We want 50 acres of this land for small holdings." He might say, "If you want 50 acres of land you must go half a mile or a mile off and take it there, because you see after ten years are passed I have no guarantee that this land will not get into the hands of a speculator or a gombeen man; and they may have a lot of speculative cottages put there. If this land is to be used as building land, I, as the landlord, claim a right to reap the benefit of it; and you have no right to take it from me for the purpose of agricultural holdings, with the risk of the land being taken and covered with buildings after ten years are passed." In result, the County Council would probably be offered other land a mile distant from the village or the town instead of the particular land which would be of real benefit to the labourers or smallholders, because of its situation close to the population.

\*(10.54.) SIR UGHTRED KAY-SHUTTLEWORTH (Lancashire, Clitheroe): I agree with my hon. and learned Friend the Member

for Haddington in his regret that the principle of feuing or leasing has not been recognised in this Bill. But I cannot support the proposal to introduce an entirely new form of tenure by imposing these restrictions upon the land for all time; for that is really what is proposed by the Amendment. It would be contrary to the principles advocated for years by every reformer of the land laws. And it would bring about a most inconvenient state of affairs by creating a number of holdings with which it would be impossible to deal when public improvements were necessary. In the county in which I live it is impossible to foresee how soon such land may not be needed for cottages or a factory for a growing town. The impossibility of dealing with these holdings for all time owing to the imposition of these conditions would be a very great public inconvenience, and I must utter my protest against imposing such permanent conditions, although it is quite necessary to impose them for a short time.

(10.55.) MR. JESSE COLLINGS: I wish the right hon. Gentleman had given us some reason why he would not accept this Amendment. I cannot see why we should impose these restrictions for ten years more than for any other time. As we have heard, almost the chief argument on the part of those who oppose this Bill altogether is that it deals unfairly with other classes. Why, they ask, not give the same advantages to the miner and the tradesman, as well as to the cultivator? The answer is, because we want the land cultivated. It is for the public good to have a number of cultivators, to make the land produce more than it does, and articles of a different kind from those it does; and in that respect the trade of the cultivator is different from any other trade. But the right hon. Gentleman seems himself to take away that argument, for he is really allowing and encouraging land speculation at the expense of a public fund. I maintain we have no right to do that. As to the argument that this is a new tenure, of course it is a new case—the acquisition of land for one purpose, and one purpose only; that is, cultivation. That being so, we have a right to have such conditions imposed, even if the old

tenure were satisfactory. If this land speculation is beneficial, why put in the ten years at all? Why not say to a man, “It is quite true we have advanced you money at wonderful terms which you could not have got from any private source; it is quite true we intended it for the public good, but you are at liberty at the earliest moment possible to put it to any other purpose you choose for your own particular benefit, and not for the benefit of the community”? Why not say that? If the object in putting in ten years is to secure that the land should be cultivated, then the argument holds good at the end of ten years. I am really at a loss to conceive why the right hon. Gentleman, after having brought in a Bill to create a peasant proprietary, a yeoman proprietorship, for the cultivation of the land, and for all those purposes connected with cultivation which we have heard so much about, will positively invite a class of people—for they will spring up under his invitation—who will acquire land at the public expense, and then use it for their own private speculation. Really, I hope the right hon. Gentleman will give us some better reason why he cannot accept this Amendment. (“Divide, divide!”)

(11.1.) MR. A. J. BALFOUR: I beg to move that you report Progress, and ask leave to sit again.

Motion made, and Question proposed, “That the Chairman do report Progress, and ask leave to sit again.”

Question put, and agreed to.

Committee report Progress; to sit again To-morrow, at Two of the clock.

## MOTIONS.

### FINANCIAL RELATIONS (ENGLAND, SCOTLAND, AND IRELAND).

#### SELECT COMMITTEE.

(11.5.) Motion made, and Question proposed,—

“That a Select Committee be appointed to consider the financial relations between England, Scotland, and Ireland, and to report—

(1.) The amount and proportion of Revenue contributed to the Exchequer by the people of England, Scotland, and Ireland respectively;

(2.) The amount and proportion of Revenue which under recent legislation is paid to Local Authorities in England, Scotland, and Ireland respectively;

(3.) The amount and proportion of moneys expended out of the Exchequer (a) upon civil and local government services for the special use of; and (b) upon collection of revenue in England, Scotland, and Ireland respectively;

(4.) The amount and proportion of State Loans outstanding, and of State Liabilities incurred for local purposes in England, Scotland, and Ireland respectively;

(5.) How far the financial relations established by the sums so contributed, paid, advanced, or promised, or by any other existing conditions, are equitable, having regard to the resources and population of England, Scotland, and Ireland respectively."—(*The Chancellor of the Exchequer.*)

(11.7.) MR. SAMUEL EVANS (Glamorgan, Mid): I am sorry, Mr. Speaker, that the Motion of the Chancellor of the Exchequer comes on at such a late period of the evening, and I am afraid I shall have to trespass on the time and attention of the House, some little time at any rate, in order to lay before the Chancellor of the Exchequer and the House the reasons why we say he ought to adopt the Amendment which is down in my name. The appointment of this Committee has been delayed now for a considerable time, I think for two years. The reason for that is that Amendments have been placed down by us; and I can assure the right hon. Gentleman that we put these Amendments down not in order to delay the Committee and prevent an inquiry being extended to Scotland, Ireland, and England, but because we had a very deep interest in the extension of the inquiry to that other portion of the United Kingdom which up to now has been left outside the purview of the Committee. I should have preferred that the Chancellor of the Exchequer should have given some reasons why the Committee should not inquire into the case of Wales as it is inquiring into the case of the other portions of the United Kingdom, because we take our stand first of all upon this—that the onus of proving the propriety of exclusion of that part of the United Kingdom, generally called the Principality of Wales, lies upon the Chancellor of the Exchequer, rather than that the onus of proving the right of the inclusion of Wales should lie upon us. I suppose the answer of the

Chancellor of the Exchequer—if I may anticipate for a moment—is that up to the present Wales has not been treated as a separate financial entity of the United Kingdom. We do not say that it should be, nor is it necessary to go to that extent in our deliberations on the operations of this Committee. What we ask is that, inasmuch as the Government have thought fit, at the request of the hon. Member for West Belfast (Mr. Sexton), to appoint a Committee to consider the financial relations of the various parts of the United Kingdom, we should not be excluded, but that inquiry should be made into the facts as they concern us, as the inquiry will be made into the facts affecting the other portions. But inasmuch as I am driven, by the course which the Chancellor of the Exchequer has thought fit to pursue, to prove to the House that Wales should be included, I shall submit to the House two reasons why we are entitled to be considered upon this Committee. In the first place I shall endeavour to prove that the inclusion of Wales as a separate portion of the United Kingdom is a feasible matter, that there are no insuperable practical difficulties in the way, and that there will not be a very great increase in cost or expense by the inclusion of the Principality. And if I go further and show, as I think I shall be able to show, that Wales is not treated fairly or equitably in the matter of these financial relations with England, I think we shall have made out a case—and a very strong case—in favour of this inquiry being extended. The Chancellor of the Exchequer may be able to dispute the figures which we produce here to-day, and if I may make one answer to any argument which he may use upon that point, it is this: that I do not think, in order to establish our case for the inquiry, it is necessary for us at all to prove that we are unfairly or inequitably treated at the present time. It is one of the objects of this Committee to inquire into the question whether Scotland or Ireland or England is equitably or inequitably treated in the matter of finance. But I think I shall be able to produce such figures as we are able to collect from the Returns which are separately made now, to show that in various matters



we are unfairly and inequitably treated. Upon the first point I will endeavour to show that there is no very great difficulty in the way of getting the necessary particulars to inquire into the financial position of Wales any more than there is in ascertaining the financial relations of Scotland or Ireland. For the convenience of the House, I shall take the Motion of the Chancellor of the Exchequer head by head. The first head is this—the Committee are to inquire and to report as to the amount and proportion of Revenue contributed to the Exchequer by the people of England, Scotland, and Ireland. Now, the Revenue of this country is derived from several sources, the principal of which are Customs, Excise, Stamps, Land Tax, House Duty, and Income Tax. I will go shortly through some of these the most important heads of Revenue, in order to show that particulars can be easily and without cost obtained with reference to Wales as well as to other portions of the United Kingdom. Take the head of Customs. The chief sources of revenue under this head are derivable from cocoa, chicory and coffee, dried fruits, foreign spirits, tea, tobacco, and wine. Referring, as I shall have to do a good many times, to a Return which was presented to this House on the 10th July, 1891—a very valuable Treasury Minute, No. 329 of the Returns of 1891—I find various particulars with regard to this matter. For instance, I find that although it is impossible now to say exactly what the proportion of revenue derivable in respect of cocoa, chicory and coffee, and dried fruits is from Scotland, Ireland, and from England, the Treasury say that for Treasury purposes it will be sufficiently accurate to take the receipts of revenue in respect of those matters and apportion them according to population. If that is so, of course it is merely an arithmetical problem, which can be worked out in two or three minutes, to ascertain how much revenue is derivable from Wales in respect of those articles which I have named. The next important item of Customs is foreign spirits. Now, with reference to that the Treasury say that since July last permits are necessary for conveying spirits from one place to

another in the country. Therefore, they say, that for six months they are able to tell the proportion of foreign spirits consumed in various parts of the United Kingdom, and they say it is sufficient for the purposes of accuracy to base the revenue from foreign spirits as calculated by the Treasury officials for that six months. Therefore, upon the head of foreign spirits, the Treasury have, through the Inland Revenue officers, sufficient information to tell us what proportion of foreign spirits are consumed—they have that information by means of these permits—in Wales. Therefore, upon that head, as well as upon the other sub-heads which I have mentioned, they can give the necessary particulars. The other is the very large item of tea. It appears it is impossible to find out what is the exact proportion, as between England, Scotland, and Ireland, of revenue derivable from tea. The authorities say that the average consumption of tea is very much the same over all portions of the United Kingdom, and that it may be taken according to population. They say that 4·91 pounds of tea per head was consumed all over the United Kingdom in 1889. Therefore, from that source you can say, by means of an arithmetical problem, what portion of the Customs Revenue derivable from tea is derivable from Wales. With reference to tobacco, they say there is some difficulty on account of the raw leaf being sent to Ireland to be manufactured there. But they come to the same conclusion with reference to the consumption of tobacco as with reference to tea. They say that for all practical purposes the consumption is the same all over the United Kingdom—about 4s. 8d. per head per annum. With regard to wine, which is the last item of Customs with which I shall deal, that raises some difficulty. They say that arises from the fact that the duty is collected on the alcoholic strength of wine, and that it is very difficult to say for any part of the United Kingdom how much that duty may be. But they have a very rough and ready method. They average the rates of duty, and they apply the average rates to the quantities conveyed from one part of the country to the other. Therefore, for practical purposes, you can ascer-

tain the necessary particulars with regard to wines. I shall not go into other sources of revenue, but I think I have shown that on all sub-heads of Customs you can ascertain sufficiently accurately for all practical purposes the amount of revenue derivable from Wales just as you can from Scotland and from Ireland. The next head of revenue is Excise. The sub-heads in this are four: British spirits, Beer, Licences, and Railway Passenger Duty. With reference to British spirits, I think you can have the same information as with reference to foreign spirits from the permits which the Excise authorities require. And I believe you can have accurate information with regard to the consumption of beer from your collectors of Inland Revenue all over the country. The revenue derivable from licences is divisible into two parts. The first is a small portion of this revenue which goes for Imperial purposes. With that I need not deal because the same considerations apply to England, Scotland, Ireland and Wales. It is not necessary with reference to the Imperial portion of the revenue derivable from licences to have any inquiry into the relations of the different parts of the Kingdom. The second part has reference to local taxation. I wish to inform the House on this head that there are already sufficient particulars in the various Returns to be found in the Library of this House. The amounts of revenue derivable from licences, are entered according to Counties, and therefore we can see what is the amount which goes to the relief of local taxation. I take it that there would be no difficulty in getting the Railway Companies to show how much of the Passenger Duty is payable in Wales and how much in England. With regard to Excise, the record made of domicile on the payment of Death Duties will render it possible to state the proportion paid by the Principality; whilst as to general stamps, the Treasury has struck a percentage which is sufficient to indicate the amount paid within the metropolitan area in respect of the expenditure of persons who reside in other parts of the country. Of Land Tax and House Tax, every penny paid by Wales can be traced. Different considerations apply

to different schedules of the Income Tax and some present difficulties, but they are not insurmountable. As to income derived from national and municipal securities, the Treasury has some data upon which to distinguish incomes derivable within the metropolitan area; and for trades and professions the Returns are made by counties. Of non-tax revenue from the Post Office, the Telegraph Service, and Crown Lands, the amount derived from Wales can be easily distinguished. The same is true of the miscellaneous items. The Returns of Imperial Revenue paid to Local Authorities are already made in counties. As to the amount of money expended upon Civil and Local Government Services, the sub-head does not in my opinion deal with those items of expenditure which are Imperial, but merely has reference to the expenditure in localities, and so inquiry as to how much is incurred in reference to Wales will be very much simplified. As the expenditure on the collection of Revenue is a certain percentage, the amount of money expended upon the collection of Revenue in Wales can also be ascertained. With regard to the amount and proportion of State loans outstanding, and of State liabilities incurred for local purposes, these have been incurred chiefly in reference to Ireland. Wales has not been able to extract any money for this purpose, and therefore the inquiry as to Wales will take no time. From the information which we have been able to extract with difficulty, it appears that Wales is very badly treated in respect to taxation, contribution and expenditure of Revenue, having regard to the population of the country. No doubt there is a difference in the principles various Members would like to apply to the question of the resources of the people; but some little idea is given by the Treasury on page 26 of the Minute which they say may be a guide to the Committee in its deliberations. Having regard to the resources of the people, the Committee might inquire into, first, the Probate Duty payable in the Principality, and as I have dwelt on that I need now say no more upon it. Then the Committee should have regard to the Income Tax payable; and I hope the House will

*Mr. Samuel Evans*

allow me to show, by a few figures, that the resources of the people of Wales are not so great as are the resources of England, and that the wealth of Wales is small in comparison with the larger country. Of course this cuts two ways. The Chancellor of the Exchequer I know will say that if the contribution of Wales to the Exchequer under the head of Income Tax is small, then, of course, Wales ought to expect less in something like the same proportion in the way of subventions. This is not the time to go fully into that matter, but I do not think—and I am prepared to combat the principle on the proper occasion—I do not think it is right to say that a country is only to cost the Imperial Exchequer in proportion to the poverty of that country. I am afraid I do not make myself understood on this point. If a country is poor you have no right to say you will give it less on that account in aid of local taxation, for the need must be greater. Now, on the question, Is Wales poor? let us take a year's Return of the Income Tax. I take figures from Returns which will be found in the Library, and I give the results shortly under the various Schedules. Taking the year 1883 and last year, I find that, under Schedule A of the Income Tax, England, without Monmouth, contributed in 1883 per head £6 4s. 2d. per annum, while Wales, including Monmouth, contributed £4 8s. 1d., a difference of £1 16s. per head. Strange to say, under Schedule B, Income Tax on the rental of agricultural lands, the contribution of Wales is very much more per head of population than the contribution from England; and here, digressing for a moment, let me say the figures establish very clearly the correctness of the contention of my hon. Friend in proposing the Second Reading of the Land Bill for Wales a few days ago that rents are very much higher in Wales than in other portions of the United Kingdom. Under Schedule B, on rentals and agricultural lands, Wales contributed very much more per head than England did, for England contributed £1 16s. 7d., Wales £2 5s. 6d. These, I venture to submit, are very startling figures, and require the careful attention of a deliberative assembly. I need not trouble

the House with the figures under Schedule C and I come to Schedule D, Income Tax derived from trades and professions, and held by us to fairly gauge the comparative wealth of a country. Here the result is remarkable. Under Schedule D England contributes the sum of £9 11s. per head, but Wales only £4 7s. 8d., less than one-half what England contributes.

THE CHANCELLOR OF THE EX-CHEQUER (Mr. GOSCHEN, St. George's, Hanover Square): Will the hon. Gentleman say where he derives these figures from?

MR. S. EVANS: From Return 25 of the year 1884-85, from Volume 45, No. 269, of that year. I see that these figures have startled even the Chancellor of the Exchequer.

MR. GOSCHEN: Pardon me; I am not startled at all. I only wished to know how the hon. Member arrives at his proportion per head.

MR. S. EVANS: It is a simple question of arithmetic. I have gone carefully into the figures, and have no hesitation in saying my results are correct. The proportion per head is, as I have said, England, £9 11s.; Wales, £4 7s. 8d., or, in other words, to put it plainly in respect of Income Tax, under Schedules A, B, and D, taken together, England contributed 8s. 1d., at the rate of 6½d. in the £1, and Wales paid 4s. 2d., or about one-half of England's contribution, in the year I refer to. Then I will give very shortly the last figures I have from Return 39 of the year 1892. The result is practically the same. This Return, dealing with the financial year 1889-90, shows per head of population—Schedule A, England, £5 14s. 10¾d.; Wales, £4 6s. 9¾d. Schedule B, England, £1 8s. 3¾d., for incomes from agricultural lands; Wales, £2 1s. 2d. Schedule D, England, £10 1s. 3½d.; Wales, £4 18s. 1d. Given shortly, the result is that, in respect of Income Tax, England contributed at the rate of 6d. in the £1 in the year 1889-90, 7s. 5d. per head, and Wales 3s. 11¾d. per head. These figures have an important bearing on the consideration of the question of the comparative resources and contributions to revenue in the two countries. Then we can ascertain from another source the comparative resources of the two

countries. The gross rental of England, including the Metropolis, is £6·31 per head of the population, and the rateable value £5·27 per head; whereas the gross rental of Wales is only £5·13 per head, and the rateable value £4·43. Here exactly the same contrast is shown as in the Income Tax Returns. That is as far as I have gone in the estimate of the resources of the two countries, and now let me say a word on the amounts of Treasury subventions paid from the Exchequer in aid of the poor rates. The amount per head of the poor rate paid in Wales is higher than in England. In the Principality the proportion is 10s. 11½d. per head, in England it is 10s. 3½d. per head. The Treasury subventions in aid in the year 1888-89 were to England, total £803,668, to Wales £36,624. Now these figures are very difficult to follow, but the House may be interested to know how they work out per head of population. You have in England assistance from the Treasury at the rate of 7½d. per head, and in Wales 5½d. per head, a difference of twopence on every head of population. I have the figures in reference to the licence duties collected, but I will not go into these, because the Chancellor of the Exchequer may say the amount goes back in aid of local taxation, and the figures should be discarded as having no reference to this present matter; but I will give the figures in respect to the share of Probate Duty under the Act of 1888. I take the financial year ending 31st March, 1890. The total amount of England's share of the Probate Duty was £1,742,226, that of Wales £69,295. This share of the Probate Duty was given back in aid of local taxation notwithstanding certain arguments of ours to the contrary based upon the proportion of grants made in times gone by. But, without going into that matter, let me give the figures per head. England gets as her share of the Probate Duty 1s. 3½d., Wales 9½d. I have not been able to verify my surmise in reference to this matter; but I think I am right in saying that Wales generally contributes almost as largely in respect to Probate Duty as England does, and, if so, is it not monstrously unfair that we should have only 9½d. per head as our share, and that England should get 6d.

*Mr. S. Evans*

per head more? In the following year, 1891, England had for her share of the Probate Duty £1,857,071, and Wales £73,863; in other words, England received 1s. 4½d. per head, Wales 11½d. The difference is not so great as in the year before, but is still considerable. In other words, if we were entitled to this Probate Duty according to population, which I think is the right principle, we should receive exactly 1s. 4d. per head, and should have been in receipt last year of £101,260, while we actually received £73,863. If we are right in our claim as to what we ought to have had as our share of the Probate Duty, there was a deficit last year of £27,397. We should have this amount annually to meet our wants for intermediate education and our Universities if the Probate Duty were more justly distributed. And now I apply the test of the Beer Duty, the additional duty laid on the country in 1890, 91, and I take the figures from Return 373 of 1891. The share England had of the new tax was £712,054, and Wales had £28,321. England received per head 6½d. and Wales a fraction over 4½d.—that is to say, 33 per cent. more went to England than to Wales in proportion to population. One observation I may make on this point. We must admit, and we do so with a blush, that the contribution of Wales in respect to the Beer Duty and Spirit Duty has in late years been quite equal in proportion to population to the contribution from England. If that is so, then it is wrong that we should have only 4½d. per head of this, while England receives 6½d. On a fair distribution we should be entitled to 6½d. per head, amounting to £38,760 for last year, while we actually received £28,321 under the head of Beer and Spirit Duties, having lost £10,440. Having gone through these figures, let me in a few words give a *résumé* of the result. In the first place, if a Committee were appointed to inquire into the financial relations of the different parts of the Kingdom, Wales should not be excluded. I have shown that the facts as regards Wales can be ascertained without much difficulty and at very little extra expense. If it had been—which it was not, for the object of the Committee is in-



quiry—necessary for me to show that Wales has been inequitably treated in past financial arrangements, I think, having regard to the resources of the two countries, that that could be established. The Chancellor of the Exchequer has up to now been adamant in excluding Wales from this inquiry. I am told that the Committee can do little in the short time remaining for the present Parliament; but I do ask the Chancellor of the Exchequer to say that in this first appointment of the Committee Wales shall be included. The onus of proving the exclusion of Wales lies with him.

Amendment proposed, in line 2, after the word "England," to insert the word "Wales."

Question proposed, "That the word 'Wales' be there inserted."

\*(11.51.) MR. GOSCHEN: The hon. Member has left me about as much time for my reply to him as he has occupied with his preliminaries and the *résumé* at the end of his speech. I am sure he will not think me wanting in courtesy to him if I condense my remarks into the briefest possible space. Pleasantly and plausibly the hon. Member has spoken, and he has made out the best case his materials would admit of; but in the same pleasant and plausible way he has slurred over all difficulties and made light of most serious objections to his proposal. The hon. Member says—and I might rest my case on that—that the onus of proof with regard to the exclusion of Wales lies with the Government, and those who oppose his Amendment. Now, I say distinctly the onus of showing why Wales should be separately treated lies with the hon. Gentleman. He did not offer in his long and interesting statement one single argument why Wales should be treated differently from any other part of the country. Wales is excluded from the inquiry, says the hon. Gentleman; but Wales is not excluded. Wales stands in the inquiry side by side with England, as she has stood by the side of England throughout the whole of her fiscal history, in all her fiscal arrangements. I cannot understand why the hon. Gentleman can think there is greater cause for treating Wales separately than there

is for treating Lancashire separately or Yorkshire separately, or, as an hon. Member opposite suggests, for treating Ulster separately from the rest of Ireland. (An hon. MEMBER: Or London.) Yes; it would be quite as reasonable a proposal to treat the Metropolis separately, and when treating London separately there would be an equal claim for treating Glasgow separately from Scotland and Belfast from Ireland. Then we might have an inquiry, which should range over all counties, to determine which are the richer counties and which the poorer, and which contributes more and which less to the Imperial Revenue; and when we have done that, when we have arrived at the result, when we have the information if we could get it, what then is to be done? Are we to have a separate fiscal system for each county? How would it be possible to raise our taxation or analyse our expenditure if every comparatively small division should have a right to claim to be separately treated? If Wales has a grievance, is it more severe than that of any of the poorer counties in England, Scotland, or Ireland? Is it possible to adjust taxation and expenditure throughout the United Kingdom in such a manner that each county or group of counties shall contribute equally to and receive equally from the Imperial Exchequer? You cannot do this; you would destroy the whole unity of our fiscal system. I will not follow the hon. Member through his discussion of the means of meeting the difficulties of collecting the information which he desires. I do not deny that it might be possible to procure much interesting information on a good many of the points suggested by the hon. Gentleman. I do not deny that as regards some articles of consumption—I make full admission, and say as regards the main articles of consumption taxed—it would be possible to arrive at some result; but when we come to the Income Tax, the difficulties will be much greater. The hon. Member has tried to minimise these difficulties to a scarcely justifiable extent. I do not see how the hon. Member knows how much per head is paid for Income Tax in Wales, for the way in which Schedule D is assessed

makes it difficult to localise it so distinctly as to say precisely how much is paid in each part of the country.

MR. SAMUEL EVANS: The Returns are given county by county.

\*MR. GOSCHEN: Yes, I am aware that the counties are given in which Income Tax is paid, but that does not represent the amount arising in each county. For instance, a wealthy man dies at Bristol, but he has property scattered all over the Kingdom. I do not see how the tax can be localised. From want of time I cannot follow the hon. Member through his speech. (An hon. MEMBER! Adjourn.) No, if we adjourn I do not know when we can resume. We cannot agree to accept Wales in this inquiry as a separate financial entity in our fiscal system. On this broad ground I must resist the Amendment, and I hope, now that the hon. Member has had the opportunity of making his excellent speech, he will not further stand in the way of the appointment of this Committee, whose labours may result, I hope, in the collection of much interesting information and furnish valuable materials for the study of future Chancellors of the Exchequer.

\*(12.0.) MR. THOMAS ELLIS (Merionethshire): I think no case was ever made out more clearly and irresistibly than that made by my hon. Friend to-night, and I will venture to say no Minister ever made so poor a reply as the right hon. Gentleman has just made. At every turn my hon. Friend supported his case with figures.

It being Midnight, the Debate stood adjourned.

Debate to be resumed upon Monday next.

### ORDERS OF THE DAY.

#### DUBLIN BARRACKS IMPROVEMENT (re-committed) BILL.—(No. 218.) COMMITTEE.

Order for Committee read.

\*MR. SPEAKER: The Instruction of which the hon. and learned Member for North Longford (Mr. T. M. Healy) has given notice is not in order, inasmuch as it involves a public charge.

*Mr. Goschen*

MR. TIMOTHY HEALY (Longford, N.): With all submission, Sir, permit to say that I distinctly, in the terms of my notice, guarded myself from anything involving a public charge, and on a true construction I think the Motion will be found not to do so. My Motion runs in this form—

“That it be an Instruction to the Committee that they have power to insert provisions to enable the Dublin Corporation to establish the amount expended by them on the Wellington Barracks, and also enabling the Secretary of State to recoup the same to the ratepayers of Dublin.”

It will be observed that this does not involve a charge—it simply enables the Corporation to establish the amount expended, and enables the Secretary of State to make proposals to recoup the same. It does not say that he shall do so.

\*MR. SPEAKER: I am afraid the hon. and learned Member's explanation does not make the Instruction the more in order. The Secretary of State can only recoup the ratepayers of Dublin from the public funds.

MR. TIMOTHY HEALY: May I ask you, Sir, if I would be in order in moving the Instruction down as far as the word “barracks,” leaving out the last line and a half so that the Corporation may establish the amount they have expended? We have a fair claim in the Main Drainage Scheme as a kind of set off for this amount.

\*MR. SPEAKER: The hon. and learned Member may proceed so far.

(12.5.) MR. TIMOTHY HEALY: I do not object to the Bill, and do not raise any objection to the Government acquiring the building for barracks; but my objection is to the Government appropriating the building, built and intended for a prison, to military purposes, without giving any compensation to the ratepayers of Dublin. I will make a suggestion. I do not want to violently press this Amendment. I move it to raise this point. Why are the barrack extensions necessary now? Because typhoid fever prevails in the city in the neighbourhood of the Liffey. You have in the case of the Royal Barracks, expended hundreds, probably thousands, of pounds, and why? Because of the unsanitary state of the barracks due to the pestilential con-

dition of the Liffey. Very good. Now you have got a barracks free of all charge to the State, without the cost of a shilling to the State. Very good. There is now before the Government a proposition for the main drainage of the City of Dublin, and nobody will benefit more from the carrying out of that scheme than the troops in Dublin. In your Royal Barracks your soldiers die from the position of the building, near what is little better than an open sewer, and the stench of it goes up to the detriment of soldiers and civilians in the city. I do not think that it is an unfair thing that we, through the Corporation, should establish what is the value of these new barracks to Her Majesty's Government, and that the value should be contributed by the Government towards the drainage of the city. Next to the soldiers, who would benefit most from this improvement? Dublin Castle, every man in which must feel the effects of the condition of the Liffey. Who next? The Judges and Law Officers of the Government, for the Four Courts are on the banks of the river. This is in no sense a Party question. I venture to think that we on this occasion will have the support of the Conservative Members in making this reasonable claim. I must say it is not a handsome thing for the Government, simply by discontinuing the place as a prison, saying it is no longer necessary to appropriate it for military purposes, instead of devoting the site to public purposes as is done in England. When you abolished Millbank as a prison what did you do?

\*MR. SPEAKER: Order, order! The hon. and learned Member is now speaking to the Amendment as a whole. He is arguing in favour of compensation being given from the Imperial Exchequer, and such a proposal, as I have informed the hon. and learned Gentleman, would not be in order.

MR. TIMOTHY HEALY: That very elastic fund, the Church Surplus, might be used, and that would involve no charge on the Exchequer; but so long as the Liffey is improved I do not care from what fund the expense of drainage comes. But I do not intend to go any further into the matter. I put the suggestion before the Government, and I say it is not a reasonable

thing that the Government having got hold of this building for the purpose of a prison should divert it to a wholly different purpose, and that it is only reasonable that the Corporation, on behalf of the ratepayers, should have the opportunity of establishing the amount expended. I move the Instruction down to the word "barracks."

Motion made, and Question proposed,

"That it be an Instruction to the Committee that they have power to insert provisions to enable the Dublin Corporation to establish the amount expended by them on the Wellington Barracks."—(Mr. Timothy Healy.)

\*(12.10.) THE FINANCIAL SECRETARY TO THE WAR OFFICE (Mr. BRODRICK, Surrey, Guildford): The hon. and learned Member, in his desire to do justice to the Corporation of Dublin, has not considered the circumstances under which the prison was originally handed over.

MR. TIMOTHY HEALY: It was not handed over—it was seized.

\*MR. BRODRICK: The hon. and learned Gentleman was not, I think, in Parliament at the time, in 1877, when the Act was passed, I think I may truly say, with the object of relieving to a large extent Corporations and Grand Juries of a heavy charge for the maintenance of prisons, and the Richmond Prison came under the category. That relief was accepted at the time and the transfer to the Prisons Board was felt to be a great advantage to the ratepayers. For ten years the building was used as a local prison and administered by the Prisons Board. Under Section 31 the Prisons Board had power to abolish the Prison if they found it unnecessary to continue it, and to apply it to certain other purposes under which section the building was used as a barrack. As the hon. and learned Member knows, great difficulty was found in securing barrack accommodation in Dublin. The Royal Barracks, as the hon. and learned Gentleman has rightly observed, were in a bad, insanitary state, and it has been found necessary to reduce the accommodation there by one-third, and accommodation had to be immediately found for the soldiers removed. As the hon. and learned Gentleman knows, a very large sum has been spent, and is being spent,

in building new barracks in Dublin; and we propose by this Bill to adapt Richmond Prison for further accommodation. I do not think that any purpose will be served by calculating the sum expended by the Corporation for wholly different purposes, and under circumstances provided for in the Act. I do not see how we can go behind the Act which provided for the transfer; the interest of the Corporation terminated with the transfer. I hope the hon. and learned Gentleman will not think it necessary to press this Instruction. Questions in relation to the Bill have been fairly considered by the Committee upstairs, from whose deliberations the hon. and learned Gentleman was absent. No petitions were presented against the Bill, and it is absolutely necessary that new buildings should be erected. It is not possible for the hon. and learned Gentleman to move the latter part of his Instruction, and I cannot see how it is possible to introduce the Instruction he has now proposed into the Bill nor what purpose it will serve.

(12.15.) MR. SEXTON (Belfast, W.): I do not find that the hon. Gentleman has made out any case against the Instruction in its limited terms, though undoubtedly in its original form it would propose a public charge. But as submitted in its amended form it is simply that the amount expended by the Corporation in the erection of the building now known as Wellington Barracks should be ascertained. The convenience of this course will be apparent, if at any future time the claim of the Corporation to be recouped for this expenditure should be recognised. The Act of 1877 is no bar to any such Instruction. No doubt by that Act Local Bodies were relieved of the burden of maintaining the prison as part of the general arrangement of items as between local rates and the Exchequer. The local rates were relieved, but the cost of maintenance was thrown upon the Imperial taxpayers, the persons who contributed to the local rates contributed to the Imperial taxation, the burden was renewed in another form. This question of the amount expended by the Government on the barrack is different from the

*Mr. Brodrick*

amount expended as upon a prison. I can assure the hon. Gentleman, as a member of the Corporation, that the Corporation never assented to the idea that the passing of the Act of 1877 disposed of their equitable and undeniable claim to be recouped the amount expended on the prison. I am sorry the Government refuse to allow this opportunity to be availed of to ascertain the amount expended, for undoubtedly it will be the duty of those interested to press this question from time to time, and endeavour to secure an equitable settlement. If my hon. Friend presses his Motion now, I am sure every Irishman will support him.

(12.17.) MR. COMMINS (Roscommon, S.): I think a little further debate will show that the Dublin Corporation have a good claim. As bearing upon the question, I may mention the transfer of Kirkdale Prison near Liverpool. In the same way this prison was taken over from the Justices as Richmond Prison was taken from the Corporation of Dublin; but then the Treasury gave the Grand Jury of Lancashire £14,000 for Kirkdale Prison. This illustrates the question whether the Treasury ought to pay the Corporation of Dublin. I think the Local Authority in Lancashire had no better claim. In any case I do not see why there should be an objection to ascertain the amount expended on the building.

\*MR. SPEAKER: I have allowed the discussion to proceed, seeing that the Instruction in terms indicated the object as being to provide that the Dublin Corporation should show the amount expended upon the building. The last section of the Instruction given notice of I have ruled out of order, as involving a charge upon the Exchequer; but I now see, and it is evident from the speeches that have been delivered, that the same objection applies to the earlier part of the Instruction. With the interpretation put upon it, I am bound to say that the Instruction is not in order.

Bill considered in Committee.

(In the Committee.)

Clause 1.

(12.20.) MR. TIMOTHY HEALY: I beg to move that Progress be reported.



I can assure the Government that so far as I am concerned they will have no chance of getting the Bill through as an unopposed measure unless we get some satisfaction for the citizens of Dublin for the robbery, for that is what it amounts to, of this building. I was anxious that the Bill should go through. I think it is reasonable that the troops in Dublin should have a better chance of life than they have in the Royal Barracks; but as my hon. Friend has reminded us, in other instances when a building has been taken by the State compensation has been given to the Local Authority. Why should we in Dublin be robbed more than the people in Lancashire?

Motion made, and Question proposed, "That the Chairman do report Progress, and ask leave to sit again."  
—(Mr. Timothy Healy.)

(12.21.) THE FIRST LORD OF THE TREASURY (Mr. A. J. BALFOUR, Manchester, E.): I may say that what has been done has been strictly in accordance with the Act. I do not think the hon. and learned Gentleman will deny that. I understand his desire is to obtain information as to the cost which has been incurred by the Corporation on the building as a prison. If the hon. and learned Gentleman will move for a Return giving the information, I am sure my hon. Friend the Financial Secretary to the War Office will carefully consider the Motion with a view to giving the information if it is possible to do so.

(12.21.) MR. TIMOTHY HEALY: I do not like to oppose a Bill which is recognised as necessary for the health of the troops, but I should like to have something more definite than a mere suggestion. The right hon. Gentleman has thrown out the hope of a Return, but that is a small matter. Will the right hon. Gentleman go a step further and say that if he finds that Kirkdale is a precedent for giving compensation to a Local Authority, and this is a similar case, then the precedent shall be followed? The building might be used as a museum, it might be turned into a play-house, it might be used in many ways if not converted into bar-

racks. I think we are quite entitled to ask that if precedent justifies it we should have the benefit in Dublin.

MR. A. J. BALFOUR: If any precedent can be shown under the Act referred to I shall be very glad to examine it.

(12.22.) MR. SEXTON: The right hon. Gentleman said that if a Return is moved for he will consider it, but I think we are entitled to hear in unmistakable terms that the Return will be granted. I can assure the right hon. Gentleman that there will be no trouble about getting the information, for the City and County of Dublin have unquestionable records of the amount expended by the Corporation in the erection of the prison. This will enable him to say that the Return will be granted.

(12.22.) MR. BRODRICK: I have not the least objection to granting the Return. The difficulty is that what the hon. and learned Gentleman wishes to get at is what has been the amount expended by the Dublin Corporation upon the prison, and it is not in our power to say if the Corporation can and will furnish that. We will endeavour to supply the Return.

(12.23.) MR. TIMOTHY HEALY: There is an alternative in case of any failure in obtaining the information from one source, and that is that the Government should say what has been the gain to the Department—what is the value of the building for military purposes. On the undertaking that the Government will endeavour to supply the information, I have no objection to withdraw my Motion.

Motion, by leave, withdrawn.

Clause agreed to.

Remaining clauses agreed to.

Preamble agreed to.

Bill reported, without Amendment.

MR. BRODRICK: There seems to be no objection to the Bill, perhaps the House will now allow the third reading to be taken?

Motion made, and Question proposed, "That the Bill be now read a third time."

MR. TIMOTHY HEALY: As the Irish Members allow the Bill to go through, I hope that we shall be treated in the same spirit when next we raise the question.

Motion agreed to.

Bill read a third time, and passed.

**PUBLIC HEALTH (SCOTLAND) PROVISIONAL ORDER [MILNATHORT WATER] BILL.—(No. 280.)**

Reported, without Amendment [Provisional Order confirmed]; to be read the third time To-morrow.

**ELECTRIC LIGHTING PROVISIONAL ORDER (No. 1) BILL.—(No. 271.)**

Reported, with Amendments [Provisional Order confirmed]; as amended, to be considered To-morrow.

**ELECTRIC LIGHTING PROVISIONAL ORDERS (No. 2) BILL.—(No. 272.)**

Reported, without Amendment [Provisional Orders confirmed]; to be read the third time To-morrow.

**ELECTRIC LIGHTING PROVISIONAL ORDERS (No. 3) BILL.—(No. 273.)**

Reported, with Amendments [Provisional Orders confirmed]; as amended, to be considered To-morrow.

**CHARTERED ACCOUNTANTS BILL.  
(No. 255.)**

Order for Second Reading read, and discharged.

Bill withdrawn.

**BARGE OWNERS, &C., LIABILITY BILL.  
(No. 211.)**

Read a second time, and committed to the Select Committee on Watermen's and Lightermen's Company Bill.

Ordered, That all Petitions against the Bill presented three clear days before the meeting of the Committee be referred to the Committee; that the Petitioners praying to be heard by themselves, their Counsel, or Agents, be heard against the Bill, and Counsel heard in support of the Bill.—(Mr. Causton.)

**RECREATION GROUNDS BILL.  
(No. 201.)**

Read a second time, and committed for Thursday next.

**MOTIONS.**

**LOCAL GOVERNMENT PROVISIONAL ORDERS (NO. 7) BILL.**

On Motion of Mr. Long, Bill to confirm certain Provisional Orders of the Local Government Board relating to the Havant, Tamworth, Warwick, and Wallsend, Willington Quay and Howton Joint Hospital Districts, and to the Upper Stour Valley Main Sewerage District, ordered to be brought in by Mr. Long and Mr. Ritchie.

Bill presented, and read first time. [Bill 339.]

**LOCAL GOVERNMENT PROVISIONAL ORDERS (NO. 8) BILL.**

On Motion of Mr. Long, Bill to confirm certain Provisional Orders of the Local Government Board relating to the Urban Sanitary Districts of Burnley, Paignton, and Penzance, and to the Rural Sanitary Districts of the Blything and Hendon Unions, ordered to be brought in by Mr. Long and Mr. Ritchie.

Bill presented, and read first time. [Bill 340.]

**LOCAL GOVERNMENT PROVISIONAL ORDERS (No. 9) BILL.**

On Motion of Mr. Long, Bill to confirm certain Provisional Orders of the Local Government Board relating to the Urban Sanitary Districts of Bradford (Yorks.), Halifax, Rawmarsh, Sheffield, and Shipley, ordered to be brought in by Mr. Long and Mr. Ritchie.

Bill presented, and read first time. [Bill 341.]

**LOCAL GOVERNMENT PROVISIONAL ORDER (POOR LAW) BILL.**

On Motion of Mr. Long, Bill to confirm a Provisional Order of the Local Government Board under the provisions of "The Poor Law Amendment Act, 1867," relating to the Hundred of Mutford and Lothingland, ordered to be brought in by Mr. Long and Mr. Ritchie.

Bill presented, and read first time. [Bill 342.]

**LOCAL GOVERNMENT (IRELAND) PROVISIONAL ORDERS (NO. 8) BILL.**

On Motion of The Attorney General for Ireland, Bill to confirm four Provisional Orders made by the Local Government Board for Ireland, under "The Public Health (Ireland) Act, 1878," relating to the purchase of lands for waterworks for the Towns of Athlone, Castletown, Berehaven, Cookstown, and Skibbereen, ordered to be brought in by The Attorney General for Ireland and Mr. Jackson.

Bill presented, and read first time. [Bill 343.]

**PRIMOGENITURE ABOLITION BILL.**

On Motion of Mr. M'Cartan, Bill to amend the Law relating to the devolution of Real Estate, ordered to be brought in by Mr. M'Cartan, Sir T. Esmonde, Mr. Knox, Dr. Tanner, and Mr. Pinkerton.

Bill presented, and read first time. [Bill 344.]

House adjourned at half after  
Twelve o'clock.

## HOUSE OF LORDS,

*Friday, 13th May, 1892.*

## SAT FIRST.

The Earl of Devon, after the death of his nephew.

## SUNDERLAND'S CHARITY BILL.

## SECOND READING.

Order of the Day for the Second Reading, read.

\***LORD SANDFORD:** My Lords, the object of this Bill is to confirm the provisions of a scheme framed by the Charity Commissioners for the better appropriation of the funds of a Charity for the poor in the parish of Bingley in the County of York. Parliamentary confirmation is necessary, because the present administration and distribution of the funds of the Charity are limited by an Act passed in 1853, whereby they are taken out of the jurisdiction of the Charity Commissioners and even of the Court of Chancery, and no diversion of this Charity can be carried out without the Bill which I ask your Lordships to read a second time. The last Report of the Charity Commissioners, to which reference is made in the Preamble of this Bill, contains a short paragraph relating to the subject, and, as it states very concisely and clearly the object of the Bill, your Lordships will perhaps allow me to read it—

“We have, during the past year, provisionally approved a Scheme, to be laid before Parliament, for The Charity of Samuel Sunderland, in the Parish of Bingley in the West Riding of the County of York. The Scheme is fully set out in Appendix C. to this Report; and we now proceed, as directed by section 60 of the Charitable Trusts Act 1853, to state the grounds of our approval of the Scheme. The Charity of Samuel Sunderland is regulated by an Act of Parliament, ‘The Bingley School and Charity Estate Act 1853’ (16 and 17 Vict. c. xiii), under which the income of the poor’s share of the Charity must be distributed and paid to the poor of Bingley, upon two days named in the Act, in the porch of Bingley Church. The Trustees are desirous of appropriating out of the poor’s share of Sunderland’s Charity a sum of £3,000

New Consols as an endowment of another Charity at Bingley, known as the Cottage Hospital, founded by Indenture dated 15th August 1889. As the end which the Scheme has in view cannot, regard being had to the requirements of this Act, be attained without the authority of Parliament, and as it seems to us that the Scheme is desirable, and that all parties interested are anxious that it shall be established, we have provisionally approved it. No objections have been made to the Scheme.”

Pursuant to the recommendation of that Report, the Bill was introduced in another place under the auspices of the hon. Member for the Division of the county in which Bingley is situated, and endorsed by Sir Stafford Northcote, the Parliamentary Representative of the Commissioners in the House of Commons. I do not think it is necessary to say much in advocacy of the Bill, because those who are locally concerned have shown a great interest in the diversion of these dole funds to the institution and maintenance on a proper footing of a far better charity than that at present established—namely, a cottage hospital. They feel that it will be more for their permanent interest to have such an institution in their midst, than that they should receive half-yearly sums of money which they may spend, or perhaps mis-spend, as soon as they receive them. Your Lordships will appreciate the wise conduct of these canny Yorkshire folk. At the same time, in case of any charge being made that this is spoliation, and that no money assistance from the Charity will be henceforth available for the deserving poor, I may say that some money will still be left; the purchase of £3,000 of Consols will not exhaust the present funds of the Charity, and there will moreover be the annual rental of a farm which, under the scheme, is henceforth to be let out in allotments. As every one concerned in the parish, after full notice of the intention of the Commissioners has cordially acquiesced in the scheme, I need do no more now than ask your Lordships to read the Bill a second time.

Moved, “That the Bill be now read 2<sup>a</sup>.”—(*The Lord Sandford.*)

Motion agreed to; Bill read 2<sup>a</sup> accordingly, and committed to a Committee of the whole House on Monday next.

# WEIGHTS AND MEASURES (PURCHASE) BILL.

## SECOND READING.

Order of the Day for the Second Reading, read.

\***LORD BALFOUR:** My Lords, this Bill is a very simple one, to which I think your Lordships will have no hesitation in giving a Second Reading. Its object is to enable the county councils of either counties or county boroughs to purchase any existing manorial rights which may be in the possession of the lord or lady of the manor in the matter of weights and measures. The Bill is not compulsory—it creates no new offence of any kind, and imposes no new penalty; it presumes a willing purchaser and a willing seller, and gives the Parliamentary sanction which is required to the bargain which these persons may make between them. The immediate necessity for the Bill arises from the fact that such a bargain has been made between those who own rights in the matter of weights and measures in the Manor of Wakefield and the County Council of the West Riding of York. Under the Acts of 1878 and 1889 referring to weights and measures, with which no doubt your Lordships are acquainted, the County Councils are the Local Authority for weights and measures; but there are some few instances (they are not many, and, with the exception of this one of Wakefield, I think I may say they are not of any real importance) in which these rights remain in private hands. The sole object of the first clause, which is the main clause of the Bill, is to give Parliamentary sanction to the bargains for the transfer of these rights which may be completed; and it is obviously in the public interest that Public Authorities should have the appointment of those who are to enforce these Acts and not a Private Authority. The effect and purpose of Clause 2 is to provide for the adjustment of expenses between boroughs and counties, should any borough desire to obtain their share of the rights which the County Council may have purchased in the first instance. The Bill is not intended to apply to

Scotland or Ireland; the Scotch Office and the Irish Office, having been consulted, say there is no occasion for it in either of these countries. The Bill has passed through the other House of Parliament without any amendment, and although there is one small Amendment which I shall ask your Lordships to insert, I do not think there is any further explanation which it is necessary for me to give, and I beg to move that the Bill be read a second time.

Moved, "That the Bill be now read 2<sup>a</sup>."—(*The Lord Balfour.*)

Motion agreed to; Bill read 2<sup>a</sup> accordingly, and committed to a Committee of the whole House on Monday next.

# RAILWAY RATES AND CHARGES PROVISIONAL ORDER (CAMBRIAN, &c.) BILL.

Read 2<sup>a</sup> (according to order), and committed to a Committee of the whole House on Tuesday next.

## STATUTE LAW REVISION.

Moved to resolve—

"That it is desirable that the Statute Law Revision Bill [H.L.] be referred to the Joint Committee of both Houses of Parliament on Statute Law Revision (The Lord Chancellor); agreed to; and a message ordered to be sent to the Commons to communicate this resolution, and desire their concurrence.

# DUBLIN BARRACKS IMPROVEMENT BILL.

Read 1<sup>a</sup>; to be printed; and to be read 2<sup>a</sup> on Tuesday next.—(*The Earl Brownlow.*) (No. 107.)

House adjourned at a quarter before Five o'clock.

## HOUSE OF COMMONS,

Friday, 13th May, 1892.

The House met at Two of the clock.

## QUESTIONS.

### SWAZILAND AND THE TRANSVAAL REPUBLIC.

MR. AINSLIE (Lancashire, N., North Lonsdale) (for Mr. ISAACS, New-



ington, Walworth): I beg to ask the Under Secretary of State for the Colonies is there any truth in the statements made by the Colonial Press that notwithstanding the undertakings in the various Conventions of 1881, 1884, and 1890, made with the South African Republic, each containing a declaration that the Swazis should remain independent, and in view of the necessity of further repressing the sale of female slaves still carried on in Swaziland, Her Majesty's Government have made a promise to the President of the South African Republic to cede Swaziland to that Republic before the expiration of the Convention of 1890; is he aware that about six millions sterling of British capital have been invested in Swaziland on the strength of the statement made in the House of Lords on the 4th August, 1890, that it was not the intention of Her Majesty's Government to hand over Swaziland to the South African Republic; and is he also aware that Mr. Cecil Rhodes, Prime Minister of the Cape of Good Hope, has proposed to obtain the consent of the South African Republic to join a Customs Union of all the South African Colonies and States in exchange for Swaziland?

THE UNDER SECRETARY OF STATE FOR THE COLONIES (Baron H. DE WORMS, Liverpool, East Toxteth): Her Majesty's Government have made no promise to the President of the South African Republic to cede Swaziland to that Republic. The Secretary of State is not aware of the amount of British capital, if any, which has been invested in Swaziland since August, 1890. As regards the last paragraph of the question, the Secretary of State has no knowledge of any such proposal.

#### EXCISE OFFICERS' EXAMINATIONS.

MR. KELLY (Camberwell, N.): I beg to ask the Secretary to the Treasury whether the supervisors of Inland Revenue, who are generally between 45 and 56 years of age at the time, have, in order to obtain promotion to the position of Inspectors, to submit themselves to competitive examinations lasting three days, six hours each day, and consisting of the writing out

of statements in the nature of essays; whether at such an examination recently held at the Custom House in Dublin, the late supervisor of Middleton, County Cork, who was 52 years of age, after having been for a short time in the examination room, fell dead in one of the corridors attached to it, and left a widow and family; whether it is necessary to subject this class of public servants, at such a period of their lives, to competitive examinations, in order to ascertain their fitness for promotion to Inspectorships, or whether there is any other method; and whether, in such latter event, he will consider the desirability of abolishing a system which involves competitive examinations of the kind five years only, in some cases, before the compulsory retirement, on the ground of age, of those who have to submit themselves to them as the only means of obtaining promotion?

THE SECRETARY TO THE TREASURY (Sir J. GORST, Chatham): The examination is a pass and not a competitive one. The essays which have to be written are on subjects connected with the official duties of the candidates. The unfortunate death alluded to in the second paragraph was the result of natural causes, and in no way connected with the examination. The system has been in force for 50 years with satisfactory results. It is acceptable to the members of the Department generally, and I cannot suggest any improvement upon it.

#### COUNTY GALWAY INFIRMARY.

MR. PINKERTON (Galway): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland if he can state at what date the County Galway Infirmary Bill will be introduced, in pursuance of public notice given in December, 1891, and in accordance with the Report of the Commission of Inquiry appointed by the Lord Lieutenant; if he is aware that through that advertisement no steps were taken to elect a surgeon in the usual way, and, as a consequence, an election is now impossible owing to the death of a governor this year, which renders the number of qualified electors below that of an official quorum, and leaves the Infirmary derelict at the present moment; and

whether he is aware that, in support of the proposition that the Bill should be passed as an unopposed measure, resolutions were passed by the Grand Jury of the county, the Town Commissioners, and by the citizens of Galway, at a public meeting convened by the Lord Bishop?

**THE CHIEF SECRETARY FOR IRELAND** (Mr. JACKSON, Leeds, N.): The hon. Member will probably have noticed that I have put down a Motion to bring in the Bill to-day. The only thing I can say in regard to the question is, that no steps were taken to elect a surgeon in the usual way not because of any advertisement. The appointment was not made in consequence of the impossibility of making a quorum.

#### THE MCKINLEY TARIFF.

**SIR WILFRID LAWSON** (Cumberland, Cockermouth) (for Mr. P. STANHOPE, Wednesday): I beg to ask the Under Secretary of State for Foreign Affairs whether the Foreign Office have requested and received from Her Majesty's Minister at Washington, as promised in answer to a question put in this House on 9th April of last year, a Report showing the effect of the McKinley Tariff Act upon the wages, employment, and cost of the necessities of life of the working classes in the United States of America?

\***THE UNDER SECRETARY OF STATE FOR FOREIGN AFFAIRS** (Mr. J. W. LOWTHER, Cumberland, Penrith): Her Majesty's Minister at Washington informed us last year that the Commissioner of Labour, Mr. Wright, a gentleman of high reputation for fairness and intelligence, had been directed by the Senate to report,

"On the effect of the tariff laws of the United States upon imports and exports, the growth, development, production, and prices of agricultural and manufactured articles, and upon wages, domestic and foreign."

Under these circumstances it was not thought necessary to call upon Sir J. Pauncefoot for another Report. Mr. Wright's Report was only presented to the Senate yesterday, but as soon as it is received here a copy of it will be placed in the Library.

*Mr. Pinkerton*

#### THE TUBERCULOSIS COMMISSION.

**MR. GERALD BALFOUR** (Leeds, Central): I beg to ask the President of the Local Government Board when the Royal Commission on Tuberculosis may be expected to issue its Report?

\***THE PRESIDENT OF THE LOCAL GOVERNMENT BOARD** (Mr. RITCHIE, Tower Hamlets, St. George's): I am informed that it is hoped that all the experiments will be completed by the autumn, but then some time must elapse before the whole of the information obtained by the Commission can be fully examined and reported on.

#### SILVER CURRENCY CONFERENCE.

**MR. PICTON** (Leicester): I beg to ask the Chancellor of the Exchequer whether the delegates appointed to represent Her Majesty's Government at the Conference invited by the United States "to consider by what means, if the use of silver can be increased any, the currency system of the nations," in the current year, will be permitted to treat the adoption of a legal fixed ratio between gold and silver as an open question?

**THE CHANCELLOR OF THE EXCHEQUER** (Mr. GOSCHEN, St. George's, Hanover Square): I think I may inform the hon. Member that it would be contrary to a precedent and also to expediency to make as to declaration should be made as to delegates instructions to be given to represent this country. I am that instructions will be given, and I must add Her Majesty's Government the precise terms of the instructions. *right hon.*

**MR. PICTON**: Will the Gentleman kindly say whether I might with propriety ask the question? When the instructions have been given, will he allow the question to be asked?

**MR. GOSCHEN**: I think past the Member will find that in the practice has been observed no delegates known the instructions to give. Suppose negotiations were going on in some particular solution, the realised if this solution might be compro

those taking part in the Conference knew precisely the instructions given to our delegates. Confidence must be reposed in Her Majesty's Government, the House, of course, being at liberty to disallow any arrangements that may be come to.

#### CONVICTIONS FOR DRUNKENNESS.

MR. SUMMERS (Huddersfield): I beg to ask the Secretary of State for the Home Department whether he will consent to amend the Return of the hon. Member for South Oxfordshire (Mr. Francis Parker) on convictions for drunkenness, by adding a column to be filled in by the number of convictions in each locality of publicans for supplying intoxicating liquor to drunken persons, or permitting drunkenness on their premises?

THE UNDER SECRETARY OF STATE FOR THE HOME DEPARTMENT (Mr. STUART WORTLEY, Sheffield, Hallam) (who replied): The Return of the hon. Member for South Oxfordshire has been ordered and could not conveniently be extended in the way desired. Moreover, the information which the hon. Member speaks of in his question appears already in the annual volume of judicial statistics. In the volume for 1890, issued last year, he will find this information on pages 25 and 32.

MR. SUMMERS: Do the statistics make distinction between districts?

MR. STUART WORTLEY: They show by districts in counties and boroughs the number of persons proceeded against, but of convictions they show only the totals. I may say the whole question of the form of these judicial statistics is under consideration, and the subject raised in the question of the hon. Member will not be lost sight of.

#### RENT-CHARGE OF SMALL HOLDINGS.

MR. SEYMOUR KEAY (Elgin and Nairn) had notice of the following question:—To ask the President of the Board of Agriculture, as the perpetual rent-charge payable by a tenant purchaser under Clause 5 of the Small Agricultural Holdings Bill is to be only of an amount to include the yearly interests which the County Councils

have to pay on the corresponding debt which they have incurred, but is not to include any yearly contribution to a Sinking Fund in repayment of the principal of such debt, from what source are the County Councils to provide the sum needful to repay the whole of the principal of the debt within 50 years, as provided by Clause 12 of the Bill; and if the said perpetual rent-charge is to include a yearly contribution to a Sinking Fund for the gradual repayment of the principal of the debt, what will be done with that yearly contribution after the whole of the debt incurred in respect of the sale of a holding has been paid off?

MR. SPEAKER: The question of the hon. Member for Elgin is not in Order, inasmuch as it is of an argumentative character, having reference to a Bill now before the House and actually in progress in Committee.

#### LABOURERS IN THE ROYAL PARKS.

MR. JAMES STUART (Shoreditch, Hoxton): I beg to ask the First Commissioner of Works what reply he is prepared to give to the memorial addressed to him from workmen employed in his Department in St. James's and Hyde Parks and in Kensington Gardens, praying that wages, hours of employment, and holidays may be granted to them on similar terms to those granted to the employees of the London County Council?

THE FIRST COMMISSIONER OF WORKS (Mr. PLUNKET, Dublin University): The memorial from workmen employed in St. James's and Hyde Parks and Kensington Gardens referred to in the question is receiving my careful consideration, and I am making inquiries on the subject; but the hon. Member is doubtless aware that only two years ago we added £1,000 to the Estimates for the purpose of improving the pay of labourers employed in the Royal Parks. When I have been able to reply to the memorialists I shall be happy to answer his question.

#### ALIEN IMMIGRATION.

MR. JAMES LOWTHER (Kent, Thanet): I beg to ask the First Lord of the Treasury whether he is now in a position to fix a day upon which the Government will place the House in

possession of the results of their consideration of the question of alien immigration into this country?

**THE FIRST LORD OF THE TREASURY** (Mr. A. J. BALFOUR, Manchester, E.): A Bill on this subject is in charge of my right hon. Friend the Home Secretary, and I believe he will be in a position to introduce it soon.

#### THE EIGHT HOURS BILL.

**MR. CUNINGHAME GRAHAM** (Lanark, N.W.): I beg to ask the First Lord of the Treasury if he can fix a day for the discussion of the Eight Hours Bill?

**MR. A. J. BALFOUR**: I am afraid it will hardly be possible to find time for the discussion of this measure, which, however, I the less regret, as a very full discussion on the same subject, though in a less comprehensive form, took place in the House a short time since on the question of eight hours for mining labour.

**MR. CUNINGHAME GRAHAM**: May I ask the right hon. Gentleman might it not be possible for him to find some time—I will not say a day—after the Whitsuntide Recess?

**MR. A. J. BALFOUR**: I am afraid I cannot give any promise. If once we begin to give way in favour of any particular Bill we shall day after day have other appeals from other hon. Members in favour of measures in which they may be interested, and it would be impossible for the Government to attempt to distinguish between the relative value and importance of the different claims put forward.

#### INFANTS (BETTING AND LOANS) ACT.

**MR. E. ROBERTSON** (Dundee): I beg to ask the Attorney General if he is aware that, since the passing of the Infants (Betting and Loans) Act, numerous advertisements have appeared in the newspapers, inviting the persons to whom they are addressed to borrow money from the advertisers, and that many of these advertisements are directly addressed to minors, clerks, and reversioners; and whether it is an offence under the Act for any person to send, or cause to be sent, to infants newspapers containing such advertisements?

*Mr. James Lowther*

**THE ATTORNEY GENERAL** (Sir R. WEBSTER, Isle of Wight): I am not aware of the circumstances mentioned in the first paragraph of the hon. Gentleman's question. I cannot say whether the sending of a newspaper containing such advertisements as the hon. Gentleman refers to is an offence. That would depend upon the circumstances of the case.

#### THE NEW COINAGE.

**MR. COGHILL** (Newcastle-under-Lyme): I beg to ask the Chancellor of the Exchequer whether it is true, as stated by the *Staffordshire Evening Post*, that—

“The reforms so persistently advocated in some quarters of stamping the value of all coins upon them has not been adopted in the new designs which the Coinage Committee have recommended for adoption”;

if so, what are the coins on which it is proposed to omit any expression of value?

**MR. GOSCHEN**: I do not think it would be quite fair to disclose the recommendation of the Coinage Committee on one point before the Report generally is ready for publication. That Report is in an advanced state, and very soon it will be possible to lay it on the Table. So far as I am acquainted with the views of the Committee on the question of indicating the value on coins, I feel sure they will commend themselves to practical persons of banking experience. There are three bankers on the Committee, who no doubt will give the fullest attention to the question of having the value indicated on coins where confusion is likely to occur.

#### GUNBOATS FOR LAKE NYASSA.

**SIR A. BORTHWICK** (Kensington, S.): I beg to ask the First Lord of the Admiralty whether, seeing the great influence that the presence and movement of the two torpedo vessels on the Zambesi belonging to the Navy has exercised in maintaining order and assisting in the stopping of the slave trade, it would be possible to transfer those vessels to Lake Nyassa where their operation could be even more useful?



THE FIRST LORD OF THE ADMIRALTY (Lord GEORGE HAMILTON, Middlesex, Ealing): I am obliged to the hon. Gentleman for his suggestion, but there are great difficulties in giving effect to his wishes in the way he suggests. The gunboats maintained for service on the Zambesi are only adapted for river work; they cannot be taken to pieces and carried overland; moreover, their services cannot yet be dispensed with on the Zambesi. The Government have, however, decided to build two gunboats specially for service on Lake Nyassa; orders have been given for their construction, and arrangements have been made for sending them out as soon as the depth of water in the river permits of their ascent, which will be early in the autumn. The presence of these vessels on the Lake will, we are confident, be of material assistance in arresting the slave trade at one of its sources.

#### SPANISH IMPORT TARIFF.

MR. LENG (Dundee): I beg to ask the Under Secretary of State for Foreign Affairs whether the United Kingdom, under existing Treaties with Spain, is entitled to its imports into that country coming under the Most Favoured Nation Clause until 30th June of the present year; whether the tariff on linen yarns imported into Spain from Austria-Hungary is equal to 27·42 pesetas for Nos. 1 to 20, and whether a Circular issued by the Director General of Customs in Madrid on 11th April last ordered that such numbers of linen yarns must pay 45 pesetas, not only in future, but retrospectively on all imported since 1st February last and which had been cleared at the lower rate of duty, whereas the notice which appeared in the *Gazette* of 10th February last stated that

“The Treaty of Commerce and Navigation between Spain and Austria-Hungary of 3rd June, 1880, is prolonged and shall remain in force until 30th June, 1892, except as regards spirits and alcohols,”

and in a telegram sent by the Minister of Finance at Madrid on 1st February to the Collectors of Customs at Barcelona and other Spanish ports it is stated that goods from Austria-Hungary should enjoy the tariff annexed to its Treaty, subsequent to

which up to 11th April British yarns were admitted at the same rate; whether it has been brought to the knowledge of the Government that British merchants, acting on the notice in the *Gazette* and the telegram of the Spanish Minister of Finance, entered into contracts and transactions which have involved serious inconvenience and loss, consequent on the sudden and retrospective increase of the duty on linen yarns imported from this country into Spain since 1st February; and whether, in the circumstances, Her Majesty's Government will endeavour to obtain compensation from the Government of Spain for the injury British merchants have suffered, or will press for the admission of British linen yarns until 30th June at the Austria-Hungary tariff rate, in accordance with the *Gazette* notice and the instructions of the Minister of Finance in February last?

MR. J. W. LOWTHER: The answers to the first and third paragraphs are in the affirmative. As to the series of questions contained in the second paragraph, the Spanish Government state that the special rates for linen yarns, stipulated for in the Austro-Hungarian Treaty of 1880, ceased to exist on the 14th March, 1887, at the termination of the period agreed upon for the duration of those special rates. The general tariff for linen yarns then came into force and remained in force until the 1st February, 1892 when the present tariff became operative. Her Majesty's Government have not found themselves able to accept the contention of the Spanish Government, and they have consequently adopted the second alternative suggested in the last paragraph of the hon. Member's question.

#### LONDON STREET ACCIDENTS.

MR. COGHILL: I beg to ask the Secretary of State for the Home Department whether he can state what was the number of accidents occurring in the streets of the Metropolis during the year 1891; whether there was any increase or decrease on the number recorded during the year 1890; and how many accidents resulted in death and how many in personal injuries?

THE SECRETARY OF STATE FOR THE HOME DEPARTMENT (Mr. MATTHEWS, Birmingham, E.): The total number of street accidents during the year 1891 was 5,784, being an increase of 56 as compared with the total number in 1890. The number of fatal accidents in 1891 was 147, being an increase of three as compared with the number in 1890.

MR. COGHILL: Has the right hon. Gentleman taken any steps to diminish the number of accidents since his attention was called to the matter a year ago?

MR. MATTHEWS: It is not easy to take any steps to efficiently diminish the dangers that must necessarily attend such crowded streets as we have in London. The number of points at which the police do their best to check and regulate the traffic have been increased during late years.

#### POLYNESIAN LABOUR IN QUEENSLAND.

MR. WINTERBOTHAM (Gloucester, Cirencester): I beg to ask the Secretary of State for the Colonies a question of which I have given private notice. Is it true, as reported in a *Times* telegram to-day, that the Royal Assent has been given to the Bill lately passed by the Queensland Government for the resuscitation of the traffic with Kanaka, which has been called the "White Slave Trade"?

\*BARON H. DE WORMS: I have seen the telegram, which is substantially correct. A telegram has also been received through the Agent General of Queensland, which I will read—

"Governor of Queensland out of reach of telegraphic communication. Act has been assented to. Merely repeals prohibition of issue of licences after '90. Present regulations remain in force until amended. Revised regulations, still more stringent, ready. Will be issued immediately on Governor's return. Government fully recognise necessity stringent regulations. Fully determined to prevent infringement. Many return Islanders waiting passage to Islands. It is proposed to issue recruiting licences under conditions of revised regulation to ships taking them. Sugar industry already shows great revival. Matter of importance to afford every facility for supply of labour as soon as possible."

MR. WINTERBOTHAM: Considering the deep interest taken in the country on this question, will the right

hon. Gentleman not telegraph for these revised regulations, and have them laid on the Table of the House?

\*BARON H. DE WORMS: I cannot promise to do that. The hon. Member will see from the Paper which I shall shortly present that, as I have already stated, immigration has for the last five years been carried on without any complaint. Before licences can be issued, the regulations are to be made still more stringent. Under these circumstances, and having regard to the assurances contained in the telegram I have read, Her Majesty's Government do not entertain any doubt as to the efficiency of the safeguards proposed by the Queensland Government.

MR. PICTON: The right hon. Gentleman has not stated whether or not the Royal Assent has been given. He said the Governor's assent had been given. I suppose that can be overridden by the Royal Prerogative? Has the final assent of the Crown been given?

\*BARON H. DE WORMS: The hon. Member is under a misapprehension. The Bill has become law; and unless it is disallowed, it is in force.

DR. CLARK (Caithness): May I ask the right hon. Gentleman whether the High Commissioner of the Pacific will look after the recruiting? Will the recruiting outside of British dominions come within the cognisance of our Agent?

\*BARON H. DE WORMS: I think the explanation I have given to the House is satisfactory. I have no reason to doubt for a moment the sincerity of the assurance given us by the Queensland Government.

#### THE ISSUE OF WRITS AT BELFAST.

MR. SEXTON (Belfast, W.): I beg to ask the Attorney General for Ireland, with reference to the establishment of a District Registry for the issue of writs of summons in Belfast, whether the conference of the Judges, as promised before the Recess, has yet been held on the subject; and whether he is aware that the Belfast Chamber of Commerce, and all other mercantile bodies in Belfast, desire the immediate establishment of such a registry there?

THE ATTORNEY GENERAL FOR IRELAND (Mr. MADDEN, Dublin University): I am informed by the Lord Chancellor that he has conferred with the Judges on this subject, and so far as they are aware there is no practical inconvenience under the present system. He has not received any communication from any body in Belfast, either mercantile or legal. Of course, if the Lord Chancellor does receive such a communication he will give it his careful consideration, and it may be necessary afterwards to communicate with the Treasury on the matter.

MR. SEXTON: Has not the Lord Chancellor received a communication from the Belfast Chamber of Commerce on the subject?

MR. MADDEN: So far as I am aware, the Lord Chancellor has not received such a communication. If he did, it would of course be a communication of great importance, and would receive his very careful attention.

MR. McCARTAN (Down, S.): Is the right hon. Gentleman aware that copies of the resolution passed by the Chamber of Commerce were sent to hon. Members of this House; is it not a fact that in England there are eighty district registries; and does the right hon. Gentleman know there is great inconvenience in Belfast owing to the absence of a registry, as at present it takes three days after the issue of a summons before service can be obtained?

MR. MADDEN: The Lord Chancellor did not express any opinion on the merits of the question, but he is giving the matter his careful consideration. I may point out that the Lord Chancellor is not a Member of the House.

MR. MAC NEILL: He was a Member.

#### THE COLONISATION OF BRITISH COLUMBIA.

MR. SETON-KARR (St. Helen's); I beg to ask the Chancellor of the Exchequer whether the Imperial Government have arranged to advance £150,000 to the Government of British Columbia for the purposes of colonisation in that country; if so, at what rate of interest, on what security, and for what

period; in what sums and at what dates will the said principal sum be advanced; what will be the constitution of the authority to be appointed to carry out the details of the work; from what part or parts of the United Kingdom will the families to be colonised be chosen, and when is it proposed to commence to send them out; on what principle will such families or persons be chosen, and by whom; and is the work to be carried out entirely under Government supervision, or will the organisation of any private commercial company be utilised in any way for this purpose?

MR. GOSCHEN: We have been informed by the Government of British Columbia that an Act has been passed by the Legislature of that Province to authorise the acceptance of the offer made by Her Majesty's Government of an advance of £150,000 for the purpose of crofter colonisation in that country. It is proposed that this sum should be lent in three instalments of £50,000 each, the second and third instalments not to be advanced until the first and second instalments have been spent. The rate of interest will be three per cent., and the security will be the guarantee of the British Columbian Government. Repayment is to begin after five years and to be spread over a period of twenty-five years. It is proposed to commence colonisation under this arrangement as soon as possible. The Government of British Columbia contemplate sending a Representative to confer with Her Majesty's Government upon the details of the scheme. The hon. Member will understand, therefore, that the details of organisation about which he asks are not settled yet. Legislation will, of course, be needed before the proposed advance can be made, so that the House will have full opportunity for considering the scheme when it is complete.

MR. SETON-KARR: I wish to ask whether any families will be sent out this year?

MR. GOSCHEN: That will depend on the representation of the British Columbian Representative who is coming over, but who has not yet arrived.

MR. SETON-KARR: Will the right hon. Gentleman give me some information as to the last clause of my question?

MR. GOSCHEN: On that I shall have to confer with the Representative of the British Columbian Government. The point is not yet settled.

#### BUSINESS OF THE HOUSE.

MR. MAC NEILL (Donegal, S.): Will the First Lord say when he proposes to take the Indian Councils Act Amendment Bill?

MR. A. J. BALFOUR: If there is time I shall take it before seven.

MR. MAC NEILL: Is the First Lord of the Treasury now able to fix a definite time for the Second Reading of the Irish Local Government Bill?

MR. A. J. BALFOUR: The progress of the Local Government Bill for Ireland will depend upon the advance we make with the Bill we are now engaged upon—the Small Holdings Bill. We cannot take it before we finish the Committee stage.

MR. PICTON: Are we to understand that the Budget Bill is definitely fixed for Monday?

MR. A. J. BALFOUR: Perhaps I ought to qualify my previous answer. I understand it would be inconvenient to many gentlemen to begin the discussion of such a Bill as the Irish Local Government Bill on Tuesday or Friday, and therefore I cannot pledge myself on the point. Supposing business so fell out, some other business might have to be taken in order to commence the discussion of the Bill on Thursday or Monday.

#### ORDERS OF THE DAY.

##### SMALL AGRICULTURAL HOLDINGS BILL.—(No. 183.)

COMMITTEE. [*Progress, 12th May.*]

Considered in Committee.

(In the Committee.)

Clause 7.

Amendment proposed, in page 4, line 5, to leave out from the word "shall" to the word "be," in line 7.—  
(*Mr. Jesse Collings.*)

Question proposed, "That the words proposed to be left out stand part of the Clause."

MR. J. CHAMBERLAIN (Birmingham, W.): When Progress was moved last night we were discussing this question, which really is one of very great importance; and now that I have had an opportunity of still further discussing it, I am more than ever impressed with the seriousness of the mistake the Committee will make unless something is done to meet the possibilities of the case we suggested last night. Let me remind the Committee that there are two interests we have to protect: the interests of the County Council—that is to say, of the ratepayers—and also the interests of the landowners who are concerned in this matter. I shall later show where we are all interested in protecting the interests of the landowners. In the first place, I will deal only with the case of the representatives of the community, who, under this Bill, are asked to run a very considerable risk and to expend public money for a great public service. That public service is the creation of peasant proprietors; and we pointed out last night that under the clause as it stands, after the peasant proprietors have been created by this Bill, it will be perfectly possible, after the expiry of ten years, for the owner of the land to sell it to speculative builders or other people, and to turn what was intended to be a great social reform into a mere speculation, which would in no degree fulfil the objects and intentions of Parliament. Therefore, I say in the interests of the ratepayers, we are bound to see that their sacrifices secure the object which we have in view. Now, Sir, I turn to the interests of the landowners, and I have said we are interested in protecting them. If we do not, what will be the result? If the landowners are to be injured or to run the risk of injury in selling their land for this purpose, of course—at all events so long as the Act is voluntary—no landowner in his senses will dream of selling his land for the purposes of the Act, and the measure will become a dead letter. The Minister for Agriculture, answering our objections last night, said that if the landlord feared any such possibility as I suggested, he had



the remedy in his own hand—that he need not sell his land. Well, I may say, having thought the matter over carefully, I am of opinion that any landlord who does sell land, if the Bill remains in its present form, will be a very imprudent and a very foolish person. I must repeat what I said in order to make this perfectly clear. The owners of large estates may—and I hope will—in some number of cases be extremely willing to sell portions of their estates for the purpose of creating peasant proprietors. Having done so, ten years later, if the small owners either can themselves, or with the assistance of any other person, pay off the remaining instalments, they will then become absolute owners of the land; they can do with it what they please, and the conditions which we insert in the Bill against sub-dividing, sub-letting, or using the land for any other than the agricultural purpose which the Bill has in view—all these conditions fall to the ground, and the small owner is absolute owner. He can put up a factory, a row of small cottages; indeed, he can use it for any purpose, however objectionable to the owner of the estate. Is it likely that any landlord in his senses is going to put himself entirely at the mercy of a possible absolute owner of land which he might be willing to part with for the purpose of small holdings? What we have proposed is that the conditions, which I think everybody will admit to be reasonable—although, if we were to discuss them they might be capable of some variation—shall be made permanent, and that when the County Councils have advanced money for these purposes, they shall have the satisfaction of knowing that the purposes shall be fulfilled; or, if from any circumstances it is found impossible to work the land at a profit, or the land becomes necessary for an extension of the towns or villages, then, in that case, the profit ought not to go to the small owner, who has been created by the money of the State, but ought to go either to the County Council which has afforded him this opportunity with the funds of the ratepayers, or to the landowner who would otherwise have been entitled to it, and who has abandoned all the prospects of an im-

provement in value for a public purpose which has ceased to be possible. We propose, therefore, to omit the words which make the small owner absolute owner, without any condition, at the expiry of ten years, or so soon as the instalments have been paid up. The Minister of Agriculture could not see his way to accept our view of this question last night. But he was not able—perhaps for lack of time—to show that I had in any way exaggerated the possibilities of the Bill as it now stands. I have been endeavouring to find some possible compromise or arrangement of this matter which might meet with the approval of, and at the same time not be inconsistent with what has fallen from, the right hon. Gentleman. Before coming to that, however, let me say that what we are now discussing is not a Party question. It has been to me a great surprise that a proposition which is made primarily of course in the interest of the ratepayers, and secondly in the interest of the landowners, should hitherto have received so little support from the other side of the House. The only difference between my right hon. Friend (Mr. Chaplin) and myself is as to the best way to accomplish the same thing. I understand he fears that a person desirous of becoming a small holder will be deterred from doing so if his ownership is clogged by any conditions, and that for that reason he opposes the Amendment. I do not understand that he is blind to the extreme possible inconvenience of the clause as it stands. Let me say in answer to his objection that I do not think it has any force, because, what is the position of the person who wants to be a small holder? At that time he has no conception of building speculation. He does not enter upon the land with any intention of making a profit by a probable increased value, nor does he intend to be an annoyance to the present landowner. If any idea of that kind ever arises in his mind it will be probably suggested to him by some outsider, by a jerry-builder, for instance, or some speculator in land, at a later period. But at the time he is desirous of taking advantage of this Act it will give him everything he can wish for—absolute ownership for the purpose of

cultivation. The only way in which it restricts him is that it prevents him from changing his intention of being a cultivator of the soil and becoming a land speculator or builder. Now I come to the suggestion which I respectfully submit to my right hon. Friend, and it is this: if he does not see his way to maintain these conditions in the Bill permanently, he should, at all events, follow what has been suggested to him as the usual course where land is allowed to be taken by railway companies and by other public bodies, namely, that whenever a small holder, who has obtained land for a particular purpose, wishes to sell it for a different purpose he shall offer the right of pre-emption to the landowner of whom he has bought it, or to the County Council, who have also a claim since they have assisted him to buy it.

THE ATTORNEY GENERAL (Sir R. WEBSTER, Isle of Wight): Or to the adjoining owner.

MR. J. CHAMBERLAIN: Quite so. If something of that kind is done—and I think it will be possible to introduce a new clause on Report—all temptation would be taken away from the small holder to do the thing which otherwise I think he will be tempted to do. Take the case of Birmingham, where the County Council might be willing to carry out this Act. At the present time you can buy land in most directions at a small distance from Birmingham at £100 an acre, and yet land almost contiguous is worth £500 or £1,000 an acre. It all depends upon accident, or whether or not large works have been established in the immediate neighbourhood. Now, all this land which could be taken for the purpose of creating small holdings at £100 an acre may in the course of a few years become the object of ambition on the part of some speculating builder, and the price may rise to £500 or more an acre. In such a case as this I think the small owner should not be allowed to part with his land for other than agricultural purposes. If he wants to give up his agricultural holding, undoubtedly he should offer it to the County Council or to the landowner from whom it was bought, or to both. My suggestion to the right hon. Gentleman, therefore, is whether

it would not be possible to introduce a clause of this kind in the Committee stage, or possibly in the Report stage.

(2.58.) MR. JAMES LOWTHER (Kent, Thanet): Before my right hon. Friend (Mr. Chaplin) replies to the speech which has just been made, I should like to say that I am not desirous of hurrying him into a reconsideration of the draft of this Bill, and I think the suggestion of the right hon. Gentleman opposite (Mr. J. Chamberlain) that the subject should be carefully considered with the view of bringing up an amended clause is, perhaps, the best method of getting out of the present difficulty. I must say that I entirely agree with what has fallen from my right hon. Friend opposite as to the great danger we run of neutralising the objects of this Bill by the retention of the words now proposed to be omitted. As I understand it, the intention of Parliament is to enable small holdings to be created for agricultural purposes. It is no part of our duty to assist British labourers or mechanics to acquire eligible plots of land in order that they may make a profit by selling at an enhanced price. What we desire is that the land shall be held permanently upon the conditions now laid down; but as far as I can see, there is nothing in the Bill as it now stands to prevent serious injury being inflicted upon the adjoining property. It seems to me that the fairest way of approaching this matter would be to follow the course adopted by railways when they cease to use land for the purposes for which it was obtained, but with some modification, because if I recollect aright, the adjoining owners have the right of pre-emption at a valuation. But a valuation must include other considerations, such as the possibility of enhanced value, and towards which the small holders may not in the least contribute. I therefore think that if a small holder wishes to sell his land for purposes other than agriculture, the owner from whom he bought it, or the owner of the adjoining property, should have the right of pre-emption at a price not exceeding that which he gave for it in the first instance, plus compensation for any obvious improvements. That seems to me to be a just method on which to proceed. I do not think

*Mr. J. Chamberlain*

the County Council would have any claim to the enhanced value of land in cases of this kind. Now, I must point out to the right hon. Gentleman in charge of this Bill, that while he is right in resisting any proposal that would have a tendency to discourage the acquisition of land, and while I agree with him that the purchaser should have a freehold for the purposes of agriculture, still I think he should not go further in that direction, and I hope he will not be hurried into any decision, but give this matter his careful consideration with the view of bringing up an amended clause.

\*MR. THOMAS H. BOLTON (St. Pancras, N.): I should like to call the attention of the right hon. Gentleman (Mr. J. Chamberlain) to the effect of his proposal, that either the landowners who have sold the land to the County Council or the County Council itself should have the right of pre-emption in accordance with the usual rule that prevails when railway companies take land for their undertakings. Well, the effect of that would be that these landowners or the County Council would have the power to buy back ten years hence the land with the improvements. (An hon. MEMBER: Subject to compensation.) The hon. Member says, "subject to compensation" but only for improvements made by the tenant. But has he considered the difficulty of settling the difference between the improved value attributable to unearned increment, and that attributable to improvements made by the tenant? Has he considered the expensive law-suits he will land every one of those unfortunate people in who attempts to enforce his right to compensation against the right of pre-emption of the County Council, or the landowner who many years before sold his land to the County Council? If the County Council is to appropriate the whole of the unearned increment, it will be doing exactly what was decided in this House a few days ago it should not do when the Local Authorities (Purchase of Land) Bill was rejected. I contend that if you are going to import questions and considerations of unearned increment into dealings with these small parcels of land you will certainly terrify persons from having anything to

do with land under the Bill. And I appeal to the hon. and learned Gentleman opposite (the Attorney General), who has had probably more experience in compensation cases than any professional gentleman in this House, whether the introduction of a clause of this kind will not hold out a future prospect in connection with every one of these small holdings of litigation of the most troublesome and difficult and possibly most expensive kind? The Member for West Birmingham (Mr. J. Chamberlain) artfully appealed to the sentimental feelings of the landowners who sit on the opposite side of the House, and he welds the two things together—the right of the landowner to have his land back, and the right of the Council to take land upon which public money has been risked, and to use it for public purposes. And he also associates with it the desire of gentlemen on this side of the House that this Bill should be used only to create and perpetuate a peasant proprietary. If the proposition of the right hon. Gentleman is embodied in the Bill, the landowners may be sure that they will never be allowed to seize the unearned increment. The first instance of anything of the kind would result in such an expression of public feeling that the law would have to be altered. The proposition would absolutely deter any man of foresight and common sense from having anything to do with land to be acquired under the Bill. The proper course is to give the small holder the land as free from restrictions as possible, so that when he has paid for it he may do what he pleases, and look upon it as a property in which he has invested his savings for the benefit of himself and his family, and be encouraged to improve it. I think you ought to leave the question of whether any of this land may hereafter be required for cottage building or other purposes to be determined by the future necessities of the locality. I do not see such terrible consequences in land being used for cottages, nor even for the purposes of a manufactory. But these are special cases, and not once in five hundred times will any of the land be required for these purposes. The land will, in the main, continue to be used for purposes of agricultural or

market garden cultivation, and the man who buys in the first instance will cultivate or sell the land to someone else who will also cultivate. These terrible instances of the possible appropriation of the land to other purposes are mere inventions conjured up by the fertile imagination of people who are either ignorant of the effect of what they purpose, or who do not desire the Bill to pass, or who want to so injure it as to render it inoperative. I think the Government deserve every credit for having brought this Bill forward. The Bill is a good Bill, and will be very useful; and though it will not remove agricultural depression, it will provide a ladder by which the labouring man may climb into the position of a small farmer. It is, of course, an experiment, but if it is successful it will be extended and we may confidently hope to see considerable benefit from it accrue to a very large number of thrifty, industrious, and deserving people.

**\*(3.12.) THE PRESIDENT OF THE BOARD OF AGRICULTURE (Mr. CHAPLIN, Lincolnshire, Sleaford):** The right hon. Gentleman the Member for West Birmingham has met the objections of the Government to the Amendment that has been moved in so reasonable and temperate a spirit that I cannot do otherwise than attempt to meet him in the same spirit. The objections of the right hon. Gentleman are twofold. He wishes to guard against the object of the County Council and of the Bill being defeated, and he wishes to protect the landlords against some of the future consequences which he apprehends from the Bill, if it should pass in its present form. For my own part, I think the dangers are to a great extent exaggerated. It may be the case that when small holdings are created builders and speculators will go into the market and buy them with the object of devoting them to other purposes than those of agriculture. But if that is to be so, why is it that these same builders and speculators, being men of wealth and in a position to buy land at the present time, do not buy up land for those purposes now?

**MR. JESSE COLLINGS (Birmingham, Bordesley):** The landlords will not sell it.

*Mr. Thomas H. Bolton*

**\*MR. CHAPLIN:** That I do not agree with. I am a landlord myself, and I should be very glad to sell a great deal of land. As a matter of fact, there are large quantities of land in the market which would be available if there were any demand. That is one ground which makes me hesitate, and another reason, I think, diminishes the ground for any Amendment whatever. As a matter of fact, I think we may be fully certain that the payment for all these small holdings or the major part of it will not be made or completed until the expiration of fifty years from now. Most of them will be paid for by instalments, if not all; and fifty years is quite long enough for us to look forward to now. On the other hand, I own that there is something attractive in the proposal of the right hon. Gentleman, and he has not asked me to give any pledge on the subject or to do more than consider the matter; and I am bound to say I could not give a pledge because, attractive though it may be, I have some sort of suspicion, especially after listening to the hon. Member opposite (Mr. T. H. Bolton), that the proposal may be surrounded and encumbered with difficulties that have not been apparent to the right hon. Gentleman, and are not at this moment apparent to me. I am afraid these difficulties may exist, and therefore, in anything I may say upon the subject this afternoon, I cannot go further than this: that I will willingly undertake to consider with the utmost care the proposal of the right hon. Gentleman, and if I see my way to give effect to that proposal I will introduce a clause at a later period. More than that I cannot say this afternoon, and I make no pledge more than this: that I think the right hon. Gentleman's suggestion is worthy of every consideration, and that consideration I am prepared to give to it before coming to a final decision. In the ordinary course, therefore, the clause would be carried as it stands, and any Amendments which would have been moved may be introduced when the clause comes up afterwards.

**MR. JESSE COLLINGS:** After the speech of the President of the Board of Agriculture, who has at last seen the importance of these Amendments, and



has promised to consider the matter fully, I beg leave to withdraw my Amendment. With respect to the fear entertained by the right hon. Gentleman and the hon. Member for St. Pancras (Mr. T. H. Bolton), that money will be wasted in legal proceedings as to the settlement of the value of the holdings, they should bear in mind that the value would be as an agricultural holding, without any value for buildings or anything else, and would, therefore, be a very simple matter, and need involve but very small expense in the case of a transfer. With respect to compensation for improvements, the whole thing is quite clear, and I fail to see where the difficulty would come in.

\*(3.20.) MR. WINTERBOTHAM (Gloucester, Cirencester): I hope the Committee will think very seriously about this question of ten years. If this were a Bill to create small land speculators I could understand the contention of the hon. Member for St. Pancras (Mr. T. H. Bolton), but it professes to be a Bill to create small agricultural holdings; and if we are going to create them, and at the end of ten years turn them over to land speculators, all the trouble that we have taken over this Bill will have been thrown away. We ought, I think, to take care that the Bill does not lend itself to the schemes of speculators and jerrymanderers. We ought, I think, to take care that there should be a pre-emption; and that so long as the County Council can use the land for the purposes of this Bill, they should have the pre-emption; and if they fail, by all manner of means let the pre-emption in the second instance go to the landlord who parts with his land voluntarily for the sake of this experiment and for no other purpose. A good deal has been said about this Bill being a ladder. We do not want to raise a ladder by which a few men may climb up and then kick the ladder away, and that is what will happen if this alteration is not made.

\*MR. ABEL SMITH (Herts, E.): This question is of the greatest importance to every landowner. I do not think the cases which have been put forward are exceptional; it is quite possible that a public-house or a factory might be erected on one of these holdings, as after ten years there will

be no control over them. In the words of a correspondent, a landowner may have on the edge of his property erections for Atheistical, Papistical, or Salvationist purposes. Therefore, I think the landowner or the County Council ought to have a right of pre-emption at the end of ten years. Without this security, the Bill will discourage owners from selling to the Council. I should like to press upon the right hon. Gentleman the importance of this Amendment most earnestly.

\*MR. SHAW LEFEVRE (Bradford, Central): As one of those who had a strong objection to creating a new system of tenure applicable for ever to a particular class of holdings I may be permitted to say a few words. It appears to me that the present proposal is of a very different character and not open to the objections that many of us felt to the previous proposal. I think it is worthy of very serious consideration; and without committing myself in any way to details, I am certain that nothing will be lost by giving the matter full consideration. I presume it would be necessary to determine at what price these holdings should be taken—whether it should be the price originally paid by the Local Authority or the present price. I suppose it would be the price paid to the Local Authority by the purchaser, but I do not imagine there would be much difficulty about that, and there might be an Arbitration Clause by which the improved value could be ascertained with as little difficulty. I would point out that this right of pre-emption only applies in the case of land bought by compulsory purchase, and I think the right hon. Gentleman opposite will not be surprised if we ask for the right of compulsory purchase.

MR. LABOUCHERE (Northampton): I seldom trouble the House on this Bill, because I am anxious to see the end of it. I am not one of those who conceive it to be their business to better the Bills of the present Government. When I discovered that the Government were not prepared to put in compulsion I thought it a mere waste of time to discuss or even to vote on the subject; and so far as I remember, with the exception of the compulsion ques-

tion, I have not even voted once on any of these Amendments. But I have remarked that since yesterday a curious change has come over the Members for Bordesley (Mr. Jesse Collings) and West Birmingham (Mr. J. Chamberlain) and the right hon. Gentleman the Member for Great Grimsby (Mr. Heneage). These Gentlemen have been complaining of obstruction, but who have been obstructionists during the last two days? They have obstructed Public Business to their hearts' content, aided and abetted by the Minister for Agriculture. I counted in the *Times* this morning no fewer than nine speeches delivered yesterday by the Member for Bordesley.

MR. JESSE COLLINGS: Short speeches.

MR. LABOUCHERE: No doubt they were short, but they were supplemented by long speeches by the Member for West Birmingham. What is the meaning of all this? The right hon. Gentleman (Mr. J. Chamberlain) says it is to improve the Bill. The Liberal Unionists need not come here to improve the Bill; they can talk it over quietly with their friends opposite instead of wasting the time of the House by long discussions. Why do not I do the same? I do not pretend to have the ear of the Government. They would not listen to me. I have not the advantages of the Member for Bordesley. I am not a *persona grata* with the Government. The right hon. Gentleman said he did not wish to legislate for fifty years hence. I object to come down here and waste time in legislating for three months hence.

THE CHAIRMAN (Mr. COURTNEY, Cornwall, Bodmin): Order, order! The hon. Gentleman is making observations which hardly have reference to this Amendment.

MR. LABOUCHERE: I will not continue; they were somewhat general.

Amendment, by leave, withdrawn.

MR. BARCLAY (Forfarshire): I move, in page 4, line 10, to leave out the words "by the owner." If these words are retained it will be impossible for the owner to let his holding.

Amendment proposed, in page 4, line 10, to leave out the words "by the owner."—(Mr. Barclay.)

Mr. Labouchere

Question proposed, "That the words proposed to be left out stand part of the Clause."

COMMANDER BETHELL (York, E.R., Holderness): If the Amendment were carried the holding could be cultivated by anyone who was not the owner.

MR. HENEAGE (Great Grimsby): The next sub-section says that the holding shall not be let without the consent of the County Council.

Question put, and agreed to.

\*MR. HOBHOUSE (Somerset, E.): My Amendment is to insert after "used," in line 11, the words "as building land or." The object of the Amendment is twofold. First, to make a clear prohibition of the use of this land for building purposes mainly; and, in the second place, I want to get rid of the restriction in the second part of the clause that no dwelling-house shall be erected on a small plot of land. I believe that restriction will be found objectionable in practice. Of course, the view of the Committee is that these holdings should not be used for building purposes mainly; but where the holding is *bona fide* used for agricultural purposes, we should do nothing to prevent the owner making his home thereon. I think the limit of an annual value of £25 for a holding on which a dwelling-house can be erected will be most unsatisfactory. That annual value might represent 50 acres where land is of small value, and surely in such a case the owner should not be prevented from erecting his home on the land.

MR. CHAPLIN: I think the object of the hon. Member is met by the clause as it stands. Sub-section *b* provides that the holding shall not be used for any purpose other than agriculture, therefore the insertion of the words "as building land or" is unnecessary. With regard to the second point, I propose, when we come to Sub-section *d*, which provides that no dwelling-house shall be erected on a holding not exceeding £25 annual value, to make a suggestion which will abolish that limit altogether, and I hope, to some extent, meet the views of hon. Members opposite.

Amendment, by leave, withdrawn.

MR. BARCLAY: I beg to move the Amendment standing in my name. Hitherto we have discussed the conditions under which the owner of the land shall hold it; this Amendment deals with the conditions under which a sub-tenant shall hold the land if the owner lets it. I propose that if the owner lets the land the tenant should have perpetuity of tenure at a fixed rent, and the right to assign the tenant right.

THE CHAIRMAN: I would point out to the hon. Member for Forfarshire that we have already passed words making the limitation only apply to ten years, or so long as anything remains unpaid. It would be inconsistent with that to insert a limitation which provides that a sub-tenancy or sub-lease should be in perpetuity.

MR. BARCLAY: Do I understand that it is not competent to move the Amendment?

THE CHAIRMAN: The hon. Member will have to modify his Amendment to make it consistent with the words already passed.

MR. ESSLEMONT (Aberdeen, E.): I think the right hon. Gentleman appreciates the remarks I made on the Second Reading with regard to the point dealt with by my Amendment. As far as Scotland is concerned, if the limit of £25 is retained, it would make the Bill entirely inoperative, which I am sure is not intended. I do not take exception to the restriction to one dwelling-house, though in a holding of 100 acres at 10s. an acre a workman's cottage in connection with the house would be an advantage. I think it would be well to hear what concessions the right hon. Gentleman will make, and then discuss them.

Amendment proposed, in page 4, line 14, to leave out Sub-section (d.)—*(Mr. Esslemont.)*

Question proposed, "That the words 'No more than one dwelling house shall' stand part of the Clause."

MR. CHAPLIN: I am obliged to the hon. Gentleman for giving me an opportunity of stating at once what I suggest. He is perfectly right. I do recognise the objections to this clause he pointed out on the Second Reading of the Bill, and I have considered

the matter and come to this conclusion. I think the first part of the sub-section—

"Not more than one dwelling-house shall be erected on the holding"

commends itself generally to the Committee. The main objection is to the proviso which forbids the erection of any dwelling-house upon a holding not exceeding £25. I am bound to say there is no good reason that can be assigned for any specific limit, and what I would suggest is that the clause should run in this form. I should propose to divide the sub-section into two—

"Sub-section (d)—not more than one dwelling-house shall be erected on the holding.

"Sub-section (e)—Where the County Council declare that in their opinion a small holding is not sufficient to enable the occupier thereof to maintain in comfort himself and his family by the cultivation thereof, the holding shall, during the period aforesaid, be held subject to the condition that no dwelling-house shall be erected thereon without the consent of the County Council."

That, I think, ought to meet the views of many hon. Gentlemen who raised objections on the Second Reading, and it appears to get over the difficulty I was anxious to avoid, that buildings should not be erected all over the country on small plots of land on which it was impossible the owner could maintain himself and his family.

MR. ESSLEMONT: I am prepared to accept the suggestion of the right hon. Gentleman, as I think the question is one which should be left to the County Council. Congestion has been caused by the erection of houses on small holdings where there was not sufficient to keep the family, and no other work to be got, and the consequence was that the places became, to a certain extent, pauper settlements. I ask leave to withdraw my Amendment.

MR. JESSE COLLINGS: I would point out that, so far as I caught the words, the question is not left in the discretion of the County Council. No doubt the right hon. Gentleman means that it should be left to them, and it would be more satisfactory; but there are words binding the County Council.

MR. CHAPLIN: The County Council will have full discretion.

\*MR. SHAW LEFFVRE: I fully recognise the spirit of conciliation in which the right hon. Gentleman has endeavoured to meet us, but I do not think his proposed Amendment is altogether satisfactory. It appears to me to raise a very strong presumption against the erection of houses. As I understand the Amendment of the right hon. Gentleman, the County Council will have power to prohibit the erection of dwellings if they think the occupier cannot live on the land. I think it would be better to say that no dwellings should be erected on holdings under £25 without the consent of the Local Authority, and give them no other direction whatever. I can imagine nothing more likely to make labourers and artisans remain in the rural districts than to encourage them to erect houses on these holdings. I hope the right hon. Gentleman will go a little bit further and remove the instruction to the County Council, saying merely that dwellings shall not be erected on holdings under £25 without their consent.

MR. GRAY (Essex, Maldon): It seems to me it would be rather difficult for the County Council to say whether a house is really desirable under the words suggested by the right hon. Gentleman. I would suggest, rather than throwing on the County Council the duty of determining whether the family could be properly maintained on the holding, that the question should be put in a negative form—that the house should be erected when the County Council were convinced that the non-existence of the house would be a serious obstacle to the successful cultivation and occupation of the holding. I think that would make the task of the County Council less difficult.

\*MR. WINTERBOTHAM: Will not the right hon. Gentleman leave it further to the discretion of the County Council, by omitting the words "in comfort"? The idea of comfort in agricultural districts varies, and occasionally clergymen tell my constituents that with eleven shillings a week they should keep a wife and family "in comfort" and be contented. I do not want differing views as to what is "comfort" to be discussed by the County Council,

and we may trust the County Council on the matter.

COMMANDER BETHELL: Might not my right hon. Friend put the presumption the other way, and say that the County Council might forbid the erection of a house?

(3.50.) MR. MUNRO FERGUSON (Leith, &c.): I think it would be desirable that there should be no presumption against the erection of dwelling-houses and buildings on small holdings. In reply to the deputation which was introduced by the right hon. Gentleman the Member for West Birmingham to the First Lord of the Treasury yesterday, the First Lord of the Treasury acknowledged the shortcomings of the Crofters Act in the Highland districts, and said that these shortcomings would be met by the provisions of this Bill. Small holdings in the West Highlands consist not of twenty-five acres merely, but of fifty acres, and sometimes of two or three or four hundred acres; and if you put in a presumption of this kind against the erection of dwelling-houses and buildings it would make this Bill absolutely a dead letter. If the shortcomings of the Crofters Act are to be met by this Bill, I think the least that can be done is to make a full concession in this matter of the erection of dwelling-houses and buildings. Over the greater part of Scotland—the Highland area is the largest—but over the whole of this area the crofter families do not support themselves on their crofts. It would be absolutely impossible that they could do so in comfort, or in any other way. They supplement their income by fishing or by various other methods; and I think that it would be very unreasonable that in that large part of Scotland the Highlands, where the agrarian question is the most acute, you should put a spoke in the wheel of the County Council, and prevent them from carrying out one of the necessary portions of their duties. I think it is very desirable that this Small Holdings Act should in the end supersede very largely the working of the Crofters Act, so that there may be but one system in the country. That can only be done by making a concession of this kind. I sincerely hope the right hon. Gentleman will make it quite plain that there will be



no presumption against the erection of dwelling-houses and buildings on these small holdings.

\*MR. CHAPLIN: I think we are all in agreement as to the object to be carried out; but it is as to the means whereby that object is to be carried out that we disagree. I think, however, it is a mistake to say that there is anything in the sub-section which appears to raise a presumption against the erection of houses on small holdings. Perhaps the Committee would let me read it again—

“Where the County Council declare that in their opinion a small holding is not sufficient to enable the occupier thereof to maintain in comfort himself and his family by the cultivation thereof, the holding shall during the period aforesaid be held subject to the condition that no dwelling-house shall be erected thereon without the consent of the County Council.”

The County Council are not bound to declare anything. That is absolutely in their discretion; and if they do not make a declaration to that effect at the sale, then the purchaser is perfectly free to erect a dwelling house on the holding, however small. But, even if they did make that declaration, then a building can still be erected if they give their consent. I do not think the provision could be drawn upon much broader lines, or could give a more full and complete discretion to the County Councils. I am, however, perfectly ready on this point to accept any suggestion which appears to me to be a better one, or which would give fuller effect to the object we have in view.

\*MR. HOBHOUSE: I would suggest that we should leave the matter to be regulated by the rules to be made by the County Councils. If we gave a direction to the County Councils that a man should be able to maintain his family out of his holding before he was allowed to erect a dwelling-house, they would very likely in many cases prevent the erection of houses; and the result would be that they would draw a wrong line and injure a really good class of small holders.

\*MR. THOMAS H. BOLTON: Whether a man can maintain himself in comfort on land for which he pays £25 a year or on twenty-five acres or not depends upon the man himself, upon his

capacity, and upon the particular cultivation of his holding. I happen to live in a district where there are a great number of small holders, and tenants of my own live in very considerable comfort on less than twenty-five acres. They pursue a special cultivation; they devote themselves to special modes of industry on the land. As to the cultivation, I suppose it is desirable to encourage a certain amount of market-garden cultivation in connection with small holdings near towns. Market-garden cultivation is carried on by a great many tenants on less than twenty-five acres, and twenty-five acres is a considerable market-garden—or even a holding of £25 a year valuation. In my neighbourhood, in Sussex, there are some hundreds of holders living upon small quantities of land by means of poultry, butter, and market-garden produce. They send it to Tunbridge Wells and Eastbourne and neighbouring towns. They are living in reasonable comfort. I would suggest to the right hon. Gentleman that the Bill wants some modification in the direction of greater freedom. As to this particular proposal is the owner for the time being to go to the County Council and represent his personal qualifications, and give information as to his means and experience, and explain what he proposes to do, before he gets permission to build or to change his cultivation? This is one of the conditions I have been protesting against from the first. I think the right hon. Gentleman is here throwing a very awkward and difficult duty upon the County Councils, and is seriously embarrassing the Bill.

\*DR. FARQUHARSON (Aberdeenshire, W.): What my hon. Friend has said is perfectly true, and I can corroborate it from my own personal experience. I quite agree with my hon. Friend that it is possible for a man to make a living out of 17 acres of land. I have a tenant myself who is not only doing that, but is able to live in greater comfort than a great many of the farmers surrounding him, because he is a man of great industry and practical experience, and turns to account every bit of land under his control. I am sorry my hon. Friend did not press his Amendment. If we

want the people to come back to the land, if we want them to make their homes on the land, I think we ought to enable them to build where they please, on any quantity of land, and anywhere they like; and I think it is unfortunate that the Amendment has not been pressed.

(4.0.) MR. GRAY: It seems to me that the words which I have suggested are best adapted to meet the necessities of the case. I think we should not say anything about maintaining a family in comfort, because the County Council might have some difficulty in deciding what is comfort. It depends upon how many there are in the family; it also depends upon what some members of the family are bringing in—these are all matters which it seems to me are entirely outside the scope of a Bill of this sort. It seems to me that as we are all agreed upon what is required, the best way of getting at it would be to insert the words in line 18, page 4—

“Unless the County Council consider that the want of a dwelling-house occasions a serious obstacle to the successful cultivation of the holding.”

\*MR. SHAW LEFEVRE: I venture to submit to the right hon. Gentleman that he should omit this part of the clause, and bring up an Amendment on a future occasion.

Amendment, by leave, withdrawn.

On Motion of Mr. SHAW LEFEVRE, the following Amendment was agreed to:—Page 4, line 15, to leave out from the word “holding” to end of sub-section.

MR. ROWNTREE (Scarborough): I beg to move—

In Page 4, after Sub-section (e), insert the following sub-section:—“(f) That no dwelling-house or building on the holding shall be used for the sale of intoxicating liquors.”

I do not think there will be any objection to this Amendment.

Amendment agreed to.

MR. ROWNTREE: I beg to move—

In page 4, line 23, after “overcrowding,” insert, “In the case of any dwelling-houses so to be erected within the area of any borough the requirements of the County Council shall not run counter to or be in substitution for the bye-laws or sanitary and building requirements in force in such borough.”

*Dr. Farquharson*

The Bill as it stands in no way recognises the jurisdiction of the corporation of a borough within its own area. I venture to submit that it is extremely undesirable that there should be any conflict between the Sanitary Authorities if any new buildings are to be erected. I hope the right hon. Gentleman will make it quite clear that the County Council should not come to interpose in matters affecting the bye-laws and sanitary requirements of the borough.

Amendment proposed,

In page 4, line 23, after the word “overcrowding,” to insert, “In the case of any dwelling-houses so to be erected within the area of any borough, the requirements of the County Council shall not run counter to or be in substitution for the bye-laws or sanitary and building requirements in force in such borough.”—(Mr. Rowntree.)

Question proposed, “That those words be there inserted.”

MR. CHAPLIN: I am in agreement with the hon. Member so far as I understand his wish; but I do not think the Bill is drawn in any way to interfere with the jurisdiction of the borough authorities within their own area. It is quite clear that should the County Council lay down certain regulations for this purpose they are not over-ride or in any way interfere with any sanitary regulation which the borough authorities may choose to make. I think that is perfectly clear as the Bill has been framed, but if it is not I shall make it quite clear.

MR. GULLY (Carlisle): I think the difficulty would be met by modifying the hon. Friend's Amendment in this way—

“Any dwelling-house erected on the holding shall comply with the requirements of the County Council or Borough Council if such dwelling-house be within the boundary of the borough as fixed by the Municipal Corporations Act of 1882.”

A small holder under this Bill might be put to the expense of complying with the requirements of the County Council after having previously gone to the expense of satisfying the regulations of the borough authorities.

MR. ESSLEMONT: I do not believe there is any necessity whatever for putting in rules with regard to these sanitary matters. Any tenant or proprietor would be amply protected against any infringement of the sanitary regulations by the general law.

MR. CHAPLIN : I shall look into the Bill, and make it quite clear on this point.

Amendment, by leave, withdrawn.

MR. JESSE COLLINGS : I beg to move in page 4, line 24, leave out the word "may" and insert the word "shall." Sub-section 2 says that if there is any breach of these restrictions the County Council may, after giving the owner an opportunity of remedying the breach, if it is capable of remedy, cause the holding to be sold. The object of this Amendment is to make that obligatory on the County Council.

Amendment proposed,

In page 4, line 24, to leave out the word "may," and insert the word "shall."—(*Mr. Jesse Collings.*)

Question proposed, "That the word 'may' stand part of the Clause."

\*MR. THOMAS H. BOLTON : I hope the right hon. Gentleman will not consent to this, to take away from the County Council all discretion in the matter. I can conceive that this Amendment, if adopted, might work a very serious injustice to the particular persons who might be the owners of property of this kind. There might be a good deal of property in the market and it might be depreciated, and to oblige the County Council to insist upon immediate sale might work a very great deal of injustice upon poor, unfortunate persons whose parents had perhaps put their little all in these small holdings. I do hope the right hon. Gentleman will not consent to this.

MR. CHAPLIN : I rather hope my hon. Friend will not press this Amendment. I think discretion should be allowed to the County Councils, and I can conceive cases in which, if it is made positively obligatory, great hardship will be done to the owners of small holdings.

MR. JESSE COLLINGS : After the observations of the right hon. Gentleman, I will ask leave to withdraw the Amendment.

Amendment, by leave, withdrawn.

MR. JESSE COLLINGS : I should like to ask the right hon. Gentleman for an explanation of Sub-sections 4 and 5 of Clause 7. As the clause stands it

refers to where the holding is sold free of these restrictions, and any man with sufficient capital might buy the holding and get clear of the restrictions entirely and do what he likes with the holding then and there. If that is the case, I should suggest that the right hon. Gentleman should put in some such words as I have proposed on the Paper. I move the Amendment.

Amendment proposed,

In page 4, leave out sub-sections (4) and (5) and insert the following sub-sections : "(4) Any small holding sold by the County Council under this section shall be sold subject to the terms and conditions provided by this Act. (5) The proceeds of the sale shall be applied in discharge of any interest or instalment then due to the County Council on account of unpaid purchase-money, and the balance, if any, shall be paid to the person appearing to the Council to be entitled to receive the same."—(*Mr. Jesse Collings.*)

Question proposed, "That those sub-sections be there inserted."

MR. CHAPLIN : The object of the hon. Member is provided for in the last three lines of the section as it stands now—"and in either case the provisions of this Act with respect to the purchase-money shall apply in like manner as if the sale were the first sale of a small holding under this Act." That is to say, it is to be sold subject to the conditions provided in this clause.

MR. JESSE COLLINGS : May I ask the right hon. Gentleman in case a man purchases the holding—if it is for sale and he pays off the whole of the purchase-money—will he not, under this clause, become free of all restrictions?

MR. CHAPLIN : No.

MR. JESSE COLLINGS : In view of the observations of the right hon. Gentleman, I ask leave to withdraw the Amendment.

Amendment, by leave, withdrawn.

\*(4.15.) MR. THOMAS H. BOLTON : In moving the Amendment which stands in my name, I would point out that if the right hon. Gentleman will refer to a preceding section, he will see that the word used is "let." This Section relates back to the preceding portion, and the word "lease," which appears in the 13th line, should, therefore, be "letting." "Letting" will cover and include "lease," but "lease" will

not include "letting." Therefore, I would suggest that the word should be "letting," and I move the alteration.

Amendment proposed, in page 5, line 13, to leave out the word "lease," and insert the word "letting."—(Mr. Thomas H. Bolton.)

Amendment agreed to.

MR. A. E. GATHORNE-HARDY (Sussex, East Grinstead): I only rise to call attention to a point which I think is really one of drafting. I think the Amendment moved by the hon. Member for Forfarshire received rather scant attention, and if the right hon. Gentleman will turn his attention to Sub-section B, he will see that it provides that the holding shall be cultivated by the owner. If he then looks at Sub-section C, he will see that there is power to let with the consent of the County Council. Supposing the property to be let with the consent of the County Council, I cannot help thinking that, as the Act stands, unless the lessee employs the owner to cultivate the land, he will not be able to cultivate it at all. Of course, it is simply a question of drafting, but I thought it right to call the right hon. Gentleman's attention to it.

MR. CHAPLIN: I will see to it.

Clause, as amended, agreed to.

Clause 8.

\*MR. THOMAS H. BOLTON: The Amendment which I have to propose is, in page 5, line 26, after the word "loss," to leave out all the words to the end of line 30. As the first clause stands at present it is—

"Any such letting shall be at the best annual rent that can be obtained without any premium or fine, and on such terms as may enable the Council to resume possession of the land within a period not exceeding twelve months."

Anyone acquainted with agriculture, as the right hon. Gentleman is, will know that that would render it very difficult to let any land such as this for agricultural purposes. If a tenant is to be turned out in less than twelve months—if this is perpetually hanging over him—there is not much inducement for him to put much in the land. Then, again, it is objectionable that there should be a disqualification on the

Mr. Thomas H. Bolton

part of the County Council to take any premium or fine, because I can well understand that the land might be thrown by some preceding tenant on the hands of the County Council with a tenant-right in it which would be of value, and which ought to be paid for, and which, if paid for, would be a security to the County Council for the performance of the conditions of the tenancy. But this clause, providing that no premium or fine is to be taken, might prevent the County Council availing themselves of this opportunity of securing a return for money, perhaps, which they had expended. Then there is the provision that it is to be let at the best annual rent that can be obtained. How is that to be arrived at—by advertisement or by putting the property up to auction, or in what way? I know a landlord who fancied that he could get a considerable rent for his land by putting it up to competition. He put up two properties by auction and got a considerable rent, but what was the result? The people gave more rent than they could pay, and the consequence was that both tenants got into difficulties and are now leaving. That is most unfair against the careful and prudent and thoughtful tenant, and calculated to encourage that unfair competition for agricultural land which is altogether opposed to the principle of this Bill. The man who gives most rent is not always for agricultural purposes the best tenant, and I hope the County Councils, consisting of persons living in the country districts, will be allowed discretion in this matter. I, therefore, hope the right hon. Gentleman will assent to this Amendment.

Amendment proposed, in page 5, line 26, after the word "loss," to leave out to the end of line 30.—(Mr. Thomas H. Bolton.)

Question proposed, "That the words proposed to be left out stand part of the Clause."

MR. CHAPLIN: I have no objection whatever to omitting the first part of these lines; but I should not like to omit the words which enable the County Council to recover possession in twelve months, because this is a clause which enables them to get rid



of superfluous land, and I want to provide for the use of this land until they can sell it. I shall be prepared to leave out—

"Any such letting shall be at the best annual rent that can be obtained without any premium or fine."

\*MR. THOMAS H. BOLTON: I agree to that, but I would ask the right hon. Gentleman to consider whether on Report he would not deal with the question whether liability to eviction at twelve months or less is not rather unreasonable, and whether he will not give a tenant a clear twelve months' notice from the ordinary date for payment of rent customary in the district. That would enable him to get his full tenant-right. Then also I would suggest whether he would not give a tenant who comes in under these circumstances the benefit of the Agricultural Holdings Act with regard to tenant-right.

COMMANDER BETHELL: Will the Agricultural Holdings Act apply? If so will the County Council not be able to turn a man out at six months' notice?

MR. CHAPLIN: What I propose is to modify the words twelve months, so as to give the usual notice to quit, whatever that may be.

(4.23.) SIR R. PAGET (Somerset, Wells): I think it would be better to accept the proposed Amendment in its entirety, because the words proposed to be retained impose a restriction on the action of the County Council. They say that any lease or letting shall be on such terms as to enable the County Council to resume possession of the land within a period not exceeding twelve months. It is quite conceivable that the County Council might prefer to let the land on lease for a term of years, and I fail to see any advantage from keeping in the words that the right hon. Gentleman desires to retain.

Amendment amended, and agreed to.

Clause, as amended, agreed to.

Clause 9.

MR. BARCLAY: I beg to move my Amendment. It will make the clause read thus—

"A County Council may delegate, with or without restrictions, the powers of the County Council under this Act with respect to the adaptation of land for the holdings," &c.

The clause as it stands limits the delegation of this work to those cases where the holdings are of such a size that dwelling houses cannot be erected upon them. I think it would be much more advantageous to give the County Council a general power of delegation.

Amendment proposed, in page 5, line 40, to leave out the word "where."—(Mr. Barclay.)

Question proposed, "That the word 'where' stand part of the Clause."

(4.27.) MR. CHAPLIN: I am quite ready to accept the spirit of the Amendment, but I think the Amendment which stands in the name of the hon. and learned Member for Haddington (Mr. Haldane) would be more suitable. The clause will then read—

"Where a County Council provide small holdings, they may delegate, with or without restrictions, the powers of the County Council under this Act," &c.

MR. BARCLAY: I will withdraw my Amendment.

Amendment, by leave, withdrawn.

On Motion of Mr. HALDANE, the following Amendment was agreed to:—Page 5, line 40, leave out from "holdings" to "they," in line 42.

\*MR. HOBHOUSE: I will not move my Amendment if the right hon. Gentleman (Mr. Chaplin) will give me an assurance that there is nothing in this clause to prevent a County Council from managing a small holding through a Committee appointed under the Local Government Act in the ordinary course.

(4.29.) MR. CHAPLIN: I believe that to be the case; that is my understanding of the Bill. I now propose the Amendment that stands in the name of the hon. Member for Islington (Sir A. Rollit). It is in accordance with the engagement which I made at an earlier period of the Bill, and it is in order to give to the Borough Authorities a place upon the Committee to whom the management of these small holdings has been delegated in those cases where the land is within their own district.

Amendment proposed,

In page 6, after line 5, to insert, "The Mayor and one member of the Town Council to be appointed by the Council for that purpose of any borough situate or partly situate within the area in which the holdings or part of the holdings are situate."—(Mr. Chaplin.)

Question proposed, "That those words be there inserted."

MR. HOBHOUSE: The Committee as constituted consists of five Members. If this Amendment is agreed to it will consist of seven.

MR. JESSE COLLINGS: Does the right hon. Gentleman mean "the Mayor and one member" or "the Mayor or one member"?

MR. CHAPLIN: It should be "the Mayor or one member." It should be so amended.

MR. HOBHOUSE: I would suggest that three members of the Council should be added to the Committee.

MR. CHAPLIN: I think there is reason in what the hon. Gentleman suggests. I will therefore withdraw the Amendment, and will introduce another at a convenient opportunity.

Amendment, by leave, withdrawn.

Clause, as amended, agreed to.

Clause 10.

MR. JESSE COLLINGS: This clause requires that three-fourths of the purchase-money shall be advanced; but the alteration that has been made in the amount to be advanced in the case of the creation of small holdings will necessitate some alteration in the clause. Therefore, instead of moving, as stated on the Paper, to leave out "three-fourths" and insert "eighty-five per cent," I will move to leave out "three-fourths" and insert "four-fifths."

Amendment proposed, in page 6, line 26, to leave out "three-fourths," and insert "four-fifths."—(Mr. Jesse Collings.)

Amendment agreed to.

Clause, as amended, agreed to.

Clause 11.

On Motion of Mr. CHAPLIN, the following Amendments were agreed to:—Page 7, line 11, after "rate," insert "for the purposes of this Act"; line 13, leave out "the purposes of this Act," and insert "those purposes."

MR. SEALE-HAYNE (Devon, Ashburton): I beg to move—

In page 7, line 19, at the end of the Clause, to add the words, "Providing always that one-half of the rate, or increase of rate, leviable

in respect of such charge may be deducted by occupiers from the rent payable to their immediate landlords, any agreement to the contrary notwithstanding."

In moving this Amendment, I do not propose to raise the vexed question of rates as between landlord and tenant, because it is one that has been before a Select Committee of this House as well as before the Royal Commission. The Select Committee on Local Taxation reported in 1870 in these words—

"It is expedient to make owners as well as occupiers directly liable for a certain portion of the rates."

The Members of that Select Committee were well known in the agricultural world, and included the late Leader of this House and the present Chancellor of the Exchequer. The Royal Commission on Agriculture in 1882 also reported in favour of the same principle. They said that, without disturbing existing contracts, all the rates should in future be borne equally by owners and occupiers. Upon that Commission there were the present Chancellor of the Exchequer, the present Minister for Agriculture, the present President of the Local Government Board, and the hon. Gentleman the Member for Hackney. Surely, then, I am entitled to say that a principle which was first started by Gentlemen of considerable eminence on both sides of the House should be accepted by it. It prevails in Scotland, where, I believe, it works well and satisfactorily. Now the Act proposes to raise ten millions of money on the security of the penny rate for the purpose of setting up small holders. But every holder that is set up will displace a tenant farmer. You are going, then, to substitute small farmers. This rate, which is a new one, must have been quite unforeseen twelve months ago; and I think it is entirely unfair, entirely unjust, to set up a class by means of it to compete with the present occupier. The tenant farmers may well say, "Save us from our friends." Who would have ventured eighteen months or two years ago to predict that the Minister for Agriculture would have introduced such a proposal as that we are now considering? Everyone will admit that this is a just and a right principle which is embodied in

this Amendment, and I sincerely trust that the right hon. Gentleman will accede to it.

Amendment proposed,

In page 7, line 19, at the end of the Clause, to add the words,—“Provided always, that one-half of the rate, or increase of rate, leviable in respect of such charge may be deducted by occupiers from the rent payable to their immediate landlords, any agreement to the contrary notwithstanding.”—(*Mr. Seale-Hayne.*)

Question proposed, “That those words be there added.”

MR. CHAPLIN: The hon. Member has raised a question which is undoubtedly one of great importance, and to the principle of which I have on more than one occasion, both in and out of this House, given my adhesion. I may remind the Committee that it was one of the recommendations made many years ago by the Commission of which I was a Member. But, although we have accepted the principle, I do not think this is a convenient or a fitting occasion upon which to raise the question. The hon. Member has talked about the burden we are going to lay upon the occupying tenant, and the risk the County Councils are going to run; but, unless I am altogether mistaken, the burden will be practically nothing. Unless the Act fails to fulfil our views financially, there will be no deficit or rate to be raised at all. In any case, I think we may look forward with confidence to the working out of the Act in that respect. I ask the Committee, therefore, whether it would be wise to introduce such a large question on this occasion?

SIR W. HARCOURT (Derby): I consider that this is by far the most important Amendment that has been moved in connection with this Bill. The right hon. Gentleman has confidence that there is no risk in the measure. Well, Sir, I do not entirely share that confidence. I do not think anyone could go into the question of the principle involved without feeling that it will have a much larger extension than that which is given to it in the Bill. You cannot begin a system of this kind without going a great deal further than this tentative measure—as it has been called—can go. Everyone must see that as regards tenant farmers the Bill

is not being received with enthusiasm. They regard with natural jealousy the fact that a class of competitors will be introduced by it into the agricultural market. What do they say? They say that the whole of the burden is to be cast upon them. I am sorry that the Chancellor of the Exchequer went out just now, because the question as to whom the burden is to fall on is one which ought to be considered. I know that the right hon. Gentleman in charge of this Bill has very clear and definite ideas upon the subject; but I do not know whether the Chancellor of the Exchequer goes so far as he does upon this point. Now, this is a new rate; it has now been proposed for the first time. The right hon. Gentleman has admitted the justice of the division of the rate in Scotland—I am not quite sure whether he does so in regard to Ireland as well—as between the owner and the occupier. Unquestionably, in the first instance, this rate will fall upon the occupier. Now, if you want to make this Bill more palatable to the tenant farmers of England than it is at the present time, you must do something to show them that you are not going to throw upon their backs the whole burden of this change. The right hon. Gentleman said this was not a convenient time to raise so large a question; but what could be a more fitting opportunity for raising it than upon a Bill which proposes to create it? We were all agreed some years ago in regard to the education rate, which has since been complained of both in town and country. If you now create a new rate for the purpose of manufacturing holdings, and borrow large sums of money on the security of the rate, you will take a step which will have serious consequences. Therefore, I cannot understand the right hon. Gentleman saying that this is not a convenient and fitting time upon which to raise the question. But this is a fitting occasion for imposing a charge of the kind, and indeed there seems to be no dispute as to the justice or policy of the case. You are creating a charge by this Bill, and, therefore, it is just that the charge should be divided. This is the only occasion for the assertion of the principle, and I trust, therefore, that

the hon. Member will take a Division upon this question, than which no more important subject can be raised within the four corners of this Bill.

\*THE PRESIDENT OF THE LOCAL GOVERNMENT BOARD (Mr. RITCHIE, Tower Hamlets, St. George's): The question now before the House is one that may be divided into two branches—one as to the policy, and the other as to the possibility of putting that policy into practice. As regards the policy, I think the House will not deem this a convenient opportunity for discussing the question of the division of rates. The Government, I may remind the House, have more than once expressed their entire willingness to consider and adopt the principle of the relief of rates; but it is clear that a mere division of rates without taking into consideration the question of the representation of the owners would not be fair or proper. The right hon. Gentleman (Sir W. Harcourt) shakes his head, but he knows quite well that on the County Council the owner is not represented at all. He does not even have a vote, and it is, of course, quite a question—one I should be prepared to argue—whether if he had a vote that would be adequate representation. I venture to think the right hon. Gentleman himself would consider that it would be unjust and unfair to put a portion of the rate upon the owner without making arrangements by which he is to have some kind of representation. I ask the Committee whether this is not an inopportune occasion for taking in hand the amendment of the law in regard to the question of representation upon the County Council, and upon all the various other bodies, that will have to be considered in connection with this subject? It would, I submit, be exceptionally inopportune at the present moment, because this particular subject is now under the consideration of a Committee upstairs, which is discussing the subject and propriety of altering the representation of these bodies if the relief of rates is taken in hand. The Members of the Committee are now discussing not whether the owner shall have representation—that is admitted by all—but what degree of representation the owner

shall have if there is to be any division of rates. But there is another difficulty in connection with the subject. The county rate is a rate which embraces many things. While it is not necessary for me to set out in detail the purposes for which a county rate is levied, I desire to point out that it would be absolutely impossible to distinctly and definitely lay down what portion of the county rate ought to be divided to meet any demand made upon the rates in consequence of this Bill. There is one observation the right hon. Gentleman made which I hope will be taken note of. The right hon. Gentleman said that in his opinion it would be unjust to put the whole of these rates upon the tenant farmer. Well, Sir, that is quite contrary to much of the argument used in regard to the Government Motion as to the relief of local taxation. It has been asserted by his colleagues that the relief which has been given by the Government to local taxation has been relief not to the tenant, but to the landlord.

SIR W. HARCOURT: Hear, hear!

\*MR. RITCHIE: The assertion of the right hon. Gentleman is that it will be a farmer's rate.

SIR W. HARCOURT: I said it was a very disputed question as to how much of the rate fell upon the landlord and how much upon the tenant. It is quite true that the right hon. Gentleman the Minister for Agriculture said the whole fell upon the landlord; but I have always accepted what I believe is the doctrine of the right hon. Gentleman the Chancellor of the Exchequer, that as regards the whole rates they fell more upon the farmer than the tenant.

\*MR. RITCHIE: I do not think my observations have been affected by the statement of the right hon. Gentleman. However that may be, it is clearly a very hard question, and one that cannot be adequately discussed in Committee on this Bill, and it would be unwise and improper for the Committee to accept the Amendment now proposed.

MR. GRAY: This is a most important question to the tenant farmers of England who hold their farms under lease. Although I feel the force of

*Sir W. Harcourt*



what has fallen from the President of the Local Government Board (Mr. Ritchie), yet I want to know when this sort of thing is going to stop? We were told exactly the same some years ago when the educational rate was imposed. In some instances that meant something like 2s. in the £1, and consequently was at the time a very serious matter to the tenant farmers. This, I know, will not be a such serious matter, but still the principle remains. I have not been influenced very much by what has fallen from the right hon. Member for Derby (Sir W. Harcourt) in his new-born zeal for the tenant farmers, since I remember that he did not stand up in vindication of the tenant farmer when the education rate was being imposed upon them, and remember also that not long ago we heard from those Benches that the land was not sufficiently rated. That, of course, meant that the tenant farmers were not sufficiently rated. What has weighed with me is, if I understand the right hon. Gentleman the President of the Local Government Board correctly, the intention of the Government to deal with this question as a whole. Of course, we know that is the intention of the Government, but we are nearing the end of this Parliament, and consequently the statement must be taken with a certain degree of caution. If I can be assured that this is not a mere dangling of the subject, but that it is the intention of the Government to look into it in a wide sense when a suitable occasion arises, then I shall support the Government. Of course, we know what Gentlemen opposite will do; they are pledged to go into this matter, and if I have the honour to be in the House I will, under certain circumstances, remind them of that pledge.

MR. R. T. REID (Dumfries, &c.): The hon. Member (Mr. Gray) has said that he would be satisfied if the Government would indicate their intention to deal with the subject in a large way on some future and suitable occasion; but he has not even received that paltry assurance. As far as I can make out the Government admit the principle, but do not deem this a proper occasion for carrying it into practice. This, they say, is not a convenient time. Why?

As the right hon. Gentleman the Member for Derby pointed out, this is a perfectly new burden, and I hope my hon. Friend will go to a Division on the Amendment, as this is the only opportunity we shall have of expressing our view as to how the rates should be imposed.

(5.5.) SIR R. PAGET (Somerset, Wells): I regret that this question should have been raised in connection with the present Bill. The whole thing is an experiment, and I think it should be conducted at the expense of the State, and not at the expense of any one class of owners of property. As a matter of principle, I am in favour of the equalisation of rates between owner and occupier; but the question now to be considered is, Is this a convenient occasion to deal with the matter? Something has been said about a convenient occasion by hon. Members opposite, and I should like to ask whether the present time is more convenient to deal with this question of the division of rates than was 1870, when the educational rate was introduced? I maintain that if ever there was a time when the rates should have been divided it was when the Liberal Government brought in their Education Bill. I am afraid hon. Members on the other side of the House have lost sight of the clause as it stands. The first section imposes on the County Council the duty of fixing the purchase-money or rent at such a reasonable amount as will, in their opinion, guard against loss. County Councils are, therefore, bound to take care that their ratepayers are not saddled with a loss. It will be seen, too, that the maximum amount of the rate fixed by this Bill is a penny in the pound, and there is every probability that the rate levied will be very much less, perhaps only a farthing in the pound. I venture to say that the cost of collection and account-keeping connected with the division of so small a rate would be more trouble and expense than it is worth, and on this ground I shall oppose the Amendment.

MR. WALLACE (Edinburgh, E.): I should like to point out that the farmers have a double grievance in this case, inasmuch as every penny they pay will be appropriated for the purpose of endowing a class of persons who will compete with them in the ordinary

markets. The farmer will not only be handicapped, but he will have to pay the expense of the handicap. I submit that there is no sort of parallel between this case and the educational rate, because in the latter instance no body of ratepayers were paying to create a class of men that would be their direct competitors in business. We cannot have a case that constitutes a greater hardship than this, and I think it is one Parliament ought to deal with.

MR. MARK J. STEWART (Kirkcudbright): It is a fallacy to say that this rate will be entirely paid by the tenant farmers. I contend that inasmuch as in Scotland the occupier and the landlord share the rates, no real burden will be imposed upon the farmers. Besides, I am satisfied that the tenant farmers in Scotland will consider this as for the national benefit, and that they will not object to pay any additional rate of a trifling character.

MR. FRANCIS STEVENSON (Suffolk, Eye): The hon. Member who has just spoken says that in Scotland the rates are divided between the owner and occupier. That is not so in England, and considering this Act applies to both countries, the English farmers, under those circumstances, will be at a disadvantage as compared with the Scotch, and that we do not wish to be the case. The hon. Baronet's reference to the Education Act of 1870 is altogether misleading, because that Act applied to England only. But I should like to point out that public opinion has advanced during the past twenty-two years, although some hon. Members opposite have remained stagnant. Opportunities have occurred during the present Parliament to deal with this question. It was brought forward in connection with the Local Government Bill of 1888, but it was rejected notwithstanding the expressed desire of the Party opposite to deal with the question.

\*MR. CHAPLIN: The tenant farmers are to be congratulated on their new-found champion, the right hon. Gentleman the Member for Derby (Sir W. Harcourt). I notice his support is generally forthcoming when he thinks he can inflict some injury on his opponents. I do not rise, however, for

the purpose of dwelling upon the speech of the right hon. Gentleman, but to reply to the hon. Member for Essex (Mr. Gray). And I may say that I have my right hon. Friend's (Mr. Ritchie's) authority for saying that the Government are prepared to consider and adopt this principle, and that the occasion upon which they do so will be, no doubt, to use the language of the hon. Member himself, a suitable occasion. I may add that it is the wish of the Government that the whole subject of the revision of rates should be considered and dealt with by Parliament. We have been asked when it will be a convenient occasion to deal with this question. Well, my right hon. Friend has pointed out that this question cannot be dealt with alone, as it involves the question of representation as well, and he has pointed out, too, the difficulty of separating this particular fractional rate from other rates. I think that is a conclusive reply to those hon. Gentlemen who ask if this is not a fitting occasion to deal with this particular matter.

(5.17.) MR. SEALE - HAYNE: I should like to reply to one or two objections that have been urged on the other side of the House against considering this question at the present time. And let me say, first of all, that it never is a convenient time for the Party opposite to carry out a reform of any kind. That is a commonplace which need not occupy us for a moment. It is said that this rate would be a small and infinitesimal burden. If so, why not agree to my Amendment? It appears to me that that is not a valid argument. Then it has been said by an hon. Member opposite that the Liberal Government did not divide the education rate. In 1870 this question had not been considered, the Royal Commission and the Select Committee had not reported in its favour, and therefore at that time it was by no means ripe for solution. But, Sir, there was an occasion when it might have been considered, but when it was refused consideration by the present Government and by the Conservative Party. When the Local Government Bill was passing through this House, the hon. Member for

Northampton moved an Amendment for this special purpose, but the Government did not find that a convenient occasion. They did not support that Amendment, and I say that under the circumstances they are not entitled to twit the Liberal Government of 1870 with not dividing the educational rate. The main argument in favour of the division of the rate in this case is that you are going to tax the tenant farmer in order to provide him with a competitor, a step which I feel sure he will warmly resent.

Question put.

(5.20.) The House divided:—Ayes 133; Noes 203.—(Div. List, No. 127.)

Clause, as amended, agreed to.

Clause 12.

\*MR. HOBHOUSE: I beg to move the Amendment which stands in my name. Under the Local Government Act the borrowing power of the County Council is restricted to one-tenth of the annual rateable value of the county. Under this Bill the County Council will be able to raise, under Clause 11, the sum of £104 for every £1,000 of annual rateable value. The figures were given me by the right hon. Gentleman himself, and the effect of those figures is that if the County Council exercises to the full its powers under this Bill they can borrow rather more than one-tenth of the annual rateable value. If they borrowed that sum for the purposes of the Bill they would be unable to borrow for any other purpose whatever without a Provisional Order or Act of Parliament. I should like to know if the President of the Local Government Board desires to put them in that position, or if he will accept my Amendment, which provides that the borrowing powers under this Act shall not affect the limit of borrowing powers under the Local Government Act.

Amendment proposed,

In page 7, line 26, at end, add "Provided that money borrowed under this Act shall not be reckoned as part of the total debt of a county for the purpose of section sixty-nine, sub-section two, of 'The Local Government Act, 1888.'"

Question proposed, "That those words be there added."

\*MR. RITCHIE: I see no strong objection to the proposal of my hon. Friend; but, at the same time, I do not think it is necessary, for I can hardly conceive that the very large powers of borrowing possessed by the County Councils under the Local Government Act are likely within a reasonable distance of time to be exhausted. It must be remembered that the County Councils are not like Sanitary and Urban Authorities, which require to borrow large sums for many purposes. If, however, the Committee are of opinion that the Amendment is desirable, we do not offer any strong opposition to it, though we do not think that the large amount they can now borrow is not likely to be sufficient.

MR. RATHBONE (Carnarvonshire, Arfon): I hope the Government will not give way in this matter, because it is very undesirable to extend the borrowing power of the County Council.

\*MR. HOBHOUSE: I am afraid I did not make my case clear to the House. The Bill has sanctioned special borrowing powers for new and important purposes, and these powers if fully exercised will amount in every county to more than one-tenth of the total annual rateable value, and that is the limit of the borrowing powers for all purposes under the Local Government Act. Do the Committee intend that the borrowing power under this Bill should not only be restricted by the limit of a penny in the pound, but should also be restricted to the amount left over between the actual debt of the county as it exists and the one-tenth of the annual rateable value? If that is not the intention of the Committee, these or some such words are necessary to enable the County Council to raise the sum which on the face of the Bill they are authorised to raise for this special purpose. I agree that the County Councils are not like Sanitary and Urban Authorities — desirous of raising large sums for many purposes; but this is an entirely new purpose, and if the Committee think it is important that small holdings should be created in large numbers it is obvious that the County Council must have power to raise large sums, and I only wished to make it clear

that they would have such borrowing powers as appear on the face of the Bill. At present if the County Council exercised their full powers under the Bill and then wanted to build an asylum or do some other work they could not raise the money without a Provisional Order or Act of Parliament. The other day the right hon. Gentleman received a deputation from the County Councils complaining of the delay in issuing loans under the present system. Much greater delays may be expected in the future if they have to get Provisional Orders or Acts of Parliament to enable them to borrow.

MR. J. CHAMBERLAIN: I hope the Government will accept the Amendment, which appears to me to be a common-sense one. Evidently the total borrowing power of County Councils under the Local Government Act was fixed with regard to the purposes contemplated at that time. Now a new purpose has been created and a new obligation placed on the County Council, and surely to the extent of that new purpose and obligation the borrowing power should be extended.

MR. CHAPLIN: As I gather that in certain instances the difficulties referred to might arise, I will accept the Amendment.

Question put, and agreed to.

MR. JESSE COLLINGS: The Amendment I have now to move is to leave out the words which empower the Public Works Loan Commissioners to charge interest at the rate of not less than £3 2s. 6d. per cent. I propose to leave out that minimum sum, which will enable the Commissioners to advance money for the purposes of this Bill at a lower rate if the Treasury authorise them to do so. As the clause stands, though the Commissioners might have a disposition to lend at three per cent., they would be unable to do so; they would be compelled to charge more than they borrowed at, and the rate-payers would have to be overtaxed to that extent. There would be absolute protection in the clause as amended.

Amendment proposed, in page 7, line 32, to leave out from the word "interest," to the word "as," in line 33.—(Mr. Jesse Collings.)

Mr. Hobhouse

Question proposed, "That the words proposed to be left out stand part of the Clause."

MR. CHAPLIN: The terms of the clause were settled by arrangement between the Treasury and myself. In the absence of my right hon. Friend the Chancellor of the Exchequer, I cannot accept an Amendment altering the terms of the clause as it is in the Bill.

MR. JESSE COLLINGS: Will the right hon. Gentleman consider it between this and Report?

MR. CHAPLIN: Yes.

MR. MORTON (Peterborough): I also had an Amendment down to strike out these words, but I wanted to substitute the words "two pounds fifteen shillings" for them. It appears to me that the money ought to be advanced to the County Council at that rate, especially when we remember that the rate fixed in the Irish Land Purchase Act was £2 15s. per cent. I think I am right in claiming for England, Scotland, and Wales that they shall have money advanced to them at the same rate as it is advanced to the Irish tenant.

MR. CHAPLIN: I should be glad to see that rate of interest put in the Bill; but if the hon. Gentleman can persuade the Chancellor of the Exchequer to accept it, his eloquence must be more persuasive than mine. I will undertake to confer with my right hon. Friend on the question but it is open to the local authorities to borrow in any other quarter they may please if they can obtain money cheaper than they can from the Treasury.

MR. JESSE COLLINGS: Do I understand that the right hon. Gentleman will leave the matter open till Report? It is a very important one.

MR. J. CHAMBERLAIN: I am satisfied with the promise of the right hon. Gentleman, but I hope he will press on the Chancellor of the Exchequer that, in the case of the Irish Land Act, for Irish purposes £2 15s. was put in as the minimum. Now, we are dealing with English Local Authorities, and I defy anybody to find better security than the rates of English Local Authorities. If it is safe and proper in Ireland to allow loans at



£2 15s., I cannot conceive why, with such securities as the Bill affords, English Local Authorities should have to pay higher interest.

MR. JESSE COLLINGS: If the clause passes as it stands, will it be competent to take out these words on Report? We do not ask that any other words should be put in, but simply to leave the matter to the discretion of the Loan Commissioners.

MR. MORTON: The hon. Gentleman says we do not want to put in  $2\frac{3}{4}$  per cent., but I do, and I shall insist on it so far as I can. The security offered by England, Scotland, and Wales is better than that offered by Ireland.

MR. H. H. FOWLER (Wolverhampton, E.): I think, in the case of Ireland, there was no power to loan at  $2\frac{3}{4}$  per cent., but Irish Land Stock at  $2\frac{3}{4}$  was created; that is not so good as the English Stock. I hope the right hon. Gentleman will not give way on the point till he has conferred with the Chancellor of the Exchequer.

(5.50.) MR. JESSE COLLINGS: As I understand that the right hon. Gentleman will take the matter into consideration after he has conferred with the Chancellor of the Exchequer, I beg leave to withdraw my Amendment.

Amendment, by leave, withdrawn.

Amendment proposed,

In page 8, line 1, after the word "county," to insert the words—"shall be defrayed out of the county rate, and the expenses incurred by the Council of a county."—(Mr. Stephens.)

Question proposed, "That those words be there inserted."

(5.52.) MR. CHAPLIN: It is already provided by Sub-section (2) of the clause:—

"The Public Works Loan Commissioners may, in manner provided by the Public Works Loans Act, 1875, lend any money which may be borrowed by a County Council for the purposes of this Act."

MR. STEPHENS (Middlesex, Hornsey): I beg to withdraw my Amendment.

Amendment, by leave, withdrawn.

Clause, as amended, agreed to.

Remaining clauses agreed to.

# NEW CLAUSES.

(5.53.) MR. CHAPLIN: I beg to move to insert the following clause:—

(Registration of title to small holdings, 38 & 39 Vict. c. 87, s. 118.)

"(1.) When a County Council have sold a small holding to a purchaser under this Act, they shall apply for his registration as the proprietor thereof under 'The Land Transfer Act, 1875,' and thereupon the purchaser shall, without further inquiry, be registered under that Act as proprietor of the land with an absolute title, subject only to such incumbrances as may be specified in the application; but such registration shall not affect the remedy against the County Council of any person claiming by title paramount to the County Council; (2.) rules under 'The Land Transfer Act, 1875,' may (a) adapt that Act to the registration of small holdings, with such modifications as appear to be required; and (b) on the application and at the expense of a County Council provide, by the appointment of local agents or otherwise, for carrying into effect the objects of this section."

New Clause brought up, and read the first and second time.

Motion made, and Question proposed, "That the Clause be added to the Bill."

\*(5.54.) MR. HOBHOUSE: I am sure all of us who are interested in the registration question are very much indebted to the right hon. Gentleman for having acceded to our request, and put a clause of this kind in the Bill. But I would appeal to him whether he thinks it really advisable to put the County Council to the expense and trouble of making special applications, and to the expense of paying for local agents. It is clear to most of us that some local machinery will have to be provided, if this part of the Land Transfer Act is to work at all.

THE CHAIRMAN: Does the hon. Member make any Motion?

\*MR. HOBHOUSE: Yes, I beg to move, in the new clause, to leave out the words "on the application and at the expense of a County Council."

Amendment proposed, in new clause, to leave out the words, "on the application and at the expense of a County Council."—(Mr. Hobhouse.)

Question proposed, "That the words proposed to be left out stand part of the proposed new Clause."

(5.55.) MR. HALDANE (Haddington): I am not sure that I agree

with my hon. Friend who has just spoken. I rather think the clause as it stands is quite right. There are two alternatives which might be adopted. You might take the general provisions under the Act which enables you to create district registries, or you might take the Act as it works in London, and make special provisions for applying it to the local districts by making the local offices have the duty of transferring everything to London. And the latter alternative is what the Government have adopted. Before I sit down I should like to say a word about this clause. I am sure we all feel that it is a very good step in advance so far as it goes, because it is the first time that registration of title in England has been made compulsory. The Act of 1875 did not work because of its voluntary character, and the right hon. Gentleman has taken a great step in advance in making registration of title compulsory under this Bill. The right hon. Gentleman is doing nothing revolutionary, because last year in a case under the Irish Land Bill there was a supplementary Act passed introducing compulsory registration into Ireland. This clause is an immense improvement, and a great advance on anything we had, and I think the Committee is under an obligation to the right hon. Gentleman, and also to the hon. Member for Stamford, who was the person who first put this subject down on the Paper. The hon. Member for Stamford (Mr. Cust) took the alternative mode of making use of the Act as it exists in London, without the creation of district registries, and in that way without any change of machinery providing for transfer at a very small cost. I understand that a transfer can take place under this arrangement at a cost of about something like a shilling an acre, which is a very great improvement on existing regulations. Therefore, I think we must all regard this as a great step forward in the conveyancing law of this country.

(6.1.) Mr. RATHBONE: I quite agree with my hon. and learned Friend that we are under an obligation to the right hon. Gentleman for what he has done. Not being a lawyer, I wish to ask one question. Am I to understand

that under this clause no proprietor will be obliged to go to London and employ a lawyer to register and transfer his title; and are successive owners to be compelled to register their titles?

Mr. HENEAGE: Having raised this question on Clause 5, I, for one, am very much obliged to the right hon. Gentleman on account of having done so much as he has done, and I think we must all regard this Registration Clause as very satisfactory. But I do not see anything in the clause which will enable the original purchaser to transfer his land free of cost, except through a new conveyance, unless rules are made. If at the present time there are no rules in existence, unless such rules are made there is nothing in the clause which will enable the original purchaser to transfer his land free of cost when the property changes hands.

SIR R. WEBSTER: With reference to the first part of the question of the hon. Member for Carnarvon (Mr. Rathbone), and in reply to the hon. Member for Somerset (Mr. Hobhouse), who has moved this Amendment, as my hon. and learned Friend the Member for Haddington (Mr. Haldane), has stated, there were two alternatives which might have been adopted in this matter; either to create district registries under the general provisions of the Act, or to take the Act as it worked in London, and make special provisions for applying it to the local districts. We have adopted the latter alternative. If there is not a large number of applications there will be no necessity for making any special rules. I conceive that the right course has been followed. In every instance the County Council is to provide the local machinery contemplated by Sub-section B of the Land Transfer Act. In reply to the right hon. Gentleman the Member for Great Grimsby (Mr. Heneage), as to the expense required to be incurred in the case of a second or third transfer, that, of course, will depend upon whether the original owner of the land has in any way dealt with the land in the way of burdening it or mortgaging it, or anything of that kind. It is necessary, as hon. Members will understand in a scheme of this kind, that in the first place the transfer should be registered. The first owner

*Mr. Haldane*

of the land is to be bound to register as the proprietor, and then he will have for all practical purposes an absolute title. Then, if there is any more done in the way of the transfer of that land, of course it will be done without the intervention of a lawyer; and rules would be provided whereby the questions of form would be settled at once. As to the question of expense, I think it would be unwise to leave out a portion of Sub-section B of the Act, as has been suggested.

SIR H. DAVEY (Stockton): I think we are all very much indebted to the right hon. Gentleman for the course which he has taken in this case. With reference to the questions raised by the hon. Member for Carnarvon and the right hon. Gentleman the Member for Great Grimsby, I suppose what will happen will be this: If any owner wishes to transfer his land he will have to go to the local agent of the Land Transfer Department, and the local agent of the Land Transfer Department will see that his transfer is registered in London in the proper registry. That appears to me to be just as good a course to take, though, of course, it may not be as speedy, as if statutory district registries were established for the purpose in the country. I am not very fond of legislating by rules, and though I do not wish to make any Motion or Amendment at this moment, I would call the attention of the right hon. Gentleman to the point, and I think he will agree with me that if it should be necessary—though I do not say at this moment it is, for I do not know—that a rule should be framed, it should in some way be in accordance with the Act.

MR. RATHBONE: I did not quite understand whether the second part of my question had been answered. I understand that rules will be made, but will those rules provide that the successive owners shall be compelled to register their titles?

SIR R. WEBSTER: Certainly.

SIR H. DAVEY: The Act of Parliament does it.

MR. CRAWFORD (Lanark, N.E.): May I ask the right hon. Gentleman to consider the point, for we have a system of registration in Scotland which

I believe is more advanced than the system in England.

SIR R. PAGET: I wish to ask the right hon. Gentleman whether it would be possible to provide by rules for an Ordnance map being recognised for the purpose of land registration?

SIR R. WEBSTER: With regard to Scotch registration, I would ask to be allowed to speak to the Lord Advocate upon the point. I have some general knowledge of the registration law of Scotland, but I am not *au fait* with the details. I rather understood from what I was told that no alteration would be required, but I will communicate with the Lord Advocate on the matter. With regard to the question put to me by my hon. Friend behind (Sir R. Paget) as to the use of the Ordnance map, I will say that I think the time is coming, and approaching very rapidly, when an Ordnance map will be recognised officially, and will be used for the land registry and for land surveying. But I think it is too much for me to say that the rule shall make an Ordnance map, without the sanction of Parliament, sufficient evidence. I think that would be an instance of which the right hon. Gentleman (Sir H. Davey) would have reason to complain of the rules going too far. Of course, use can be made of an Ordnance map already to some extent; but to ask that it should be made final and conclusive evidence would be going too far.

MR. HALDANE: I think some words are necessary providing that it should not apply to Scotland. It is a perfectly general scheme at present.

SIR R. WEBSTER: I think there is no objection to insert the words "County Council in England."

MR. J. CHAMBERLAIN: There is a point on which my right hon. Friend has not answered the hon. and learned Gentleman, and I, therefore, beg again to ask him the question. In paragraph B of Sub-section 2 of the clause it is provided that rules may,

"On the application and at the expense of a County Council, provide by the appointment of local agents or otherwise for carrying into effect the objects of this section."

What we want to ask is this: Do the Government undertake that in every case they shall provide some

means by which the registration may be taken locally, because the clause does not say so?

MR. FRANCIS STEVENSON: I entirely agree that it is better that the clause should remain as it stands under existing conditions, although in theory I think it might be better it should be amended. It is quite obvious from this discussion that a great deal of the value of this clause will depend upon the nature of the rules made under this Act. It may be possible, on account of our Parliamentary usage, that the rules made by the Lord Chancellor may not be laid on the Table before the passing of the Act, and I would ask whether it is not possible for the Attorney General or the President of the Board of Agriculture, by some means or other, to communicate to this House, before the Report stage, what the nature and what the purport of those rules may be.

SIR R. WEBSTER: It would be very rash to give any such promise as that. The rules will require to be carefully considered. They must be analogous to the well known rules now existing, and I cannot help thinking to endeavour beforehand to give their general scope and purport might lay us open to the observation that we did not communicate some necessary part. In reply to the right hon. Gentleman the Member for West Birmingham, it is distinctly an intention that the registrations shall be carried out locally, and if these words do not restrict the clause to that, my right hon. Friend will certainly see that proper words are inserted. "Locally or otherwise" might mean that the agent need not be a person appointed *ad hoc*. Some difficulty might arise in the case of the County Council not having sufficient work to be done to justify the appointment of a local agent.

MR. FRANCIS STEVENSON: My suggestion was not that the exact words of the rules should be placed before the House, but that the general purport should be placed before it.

(6.15.) VISCOUNT EBRINGTON (Devon, Tavistock): Is there anything in the proposed rules to provide for the cost of the transfer of land? It is very important that the cost of transferring

these small holdings by any future deed should not be heavy.

SIR R. WEBSTER: In the Land Transfer Act there is provision for fees. The fees for transfer after the first registration are extremely small, and I never heard any one complain of them.

MR. HOBHOUSE: After the discussion that has taken place, I ask leave to withdraw the Amendment.

Amendment, by leave, withdrawn.

Motion made, and Question proposed, "That the Clause be added to the Bill."

COMMANDER BETHELL: It is possible that laymen like myself may be under a misapprehension as to this clause, and I therefore would ask the Attorney General whether it will be necessary after this registration of the land for all fresh mortgages to be entered upon the register? If it is possible to do that by rules, then I think it should be done.

SIR R. WEBSTER: I am afraid that in answering another hon. Member on the opposite side of the House I have not clearly replied to my hon. and gallant Friend. The clause states:

"The purchaser shall, without further inquiry, be registered under that Act as proprietor of the land with an absolute title, subject only to such incumbrances as may be specified in the application."

Therefore subsequent dealings with the land by way of mortgage must be registered in order that the mortgage may be valid. Of course it is quite possible that a man may attempt to deal with his land without registration, but there would not be effective security without registration. All legal mortgages and proper incumbrances should appear on the register.

COMMANDER BETHELL: I gather from my hon. and learned Friend that the charges made after the first transaction will be very small, and that there will be very little necessity for the intervention of a lawyer. That leads me to ask this question about mortgages: Will a mortgage upon the land be valid if it is not registered?

SIR R. WEBSTER: I think it would not be valid unless properly registered. What I desired to say about the interven-

Mr. J. Chamberlain



tion of a lawyer was this. I do not mean to say that under all circumstances no lawyer would be required. There might be deaths, there might be intestacies, there might be an uncertainty as to the person entitled to the property, there might be a variety of matters about which I am the last person in the world to suggest that there should be no intervention by a lawyer; but the intention of the Government is that under ordinary circumstances of transfer the simple registration will be carried out locally and at comparatively small expense.

MR. CRAWFORD: I see that the Lord Advocate is now present, and I should like to repeat my question about the application of this clause to Scotland. It is quite obvious that it is inapplicable as it stands to Scotland, for the Land Transfer Act, 1875, does not apply to that country. It is highly desirable that this expeditious form of registration of title should exist in Scotland to facilitate the transfer of land, and we should all welcome a similar clause for Scotland. That can be done on Report. But I will in the meantime move to add at the end of the new clause these words, "This clause shall not apply to Scotland."

THE CHAIRMAN: Order, order! The Question has been put, "That this clause be added to the Bill," and it is now too late to move that Amendment.

(6.20.) MR. A. J. BALFOUR: I would point out that the question has been put, and the discussion has come to an end. I will, however, promise that if the clause should be found inapplicable to Scotland, it shall receive careful consideration hereafter.

MR. ROWNTREE: I am sure the Attorney General will admit that the system introduced into this Bill is practically non-existent in this country, and that those who are best entitled to speak upon it are opposed to legislation by rule.

(6.22.) SIR R. WEBSTER: I do not think I can make any such admissions as the hon. Gentleman desires. There are rules in existence at the present time which were framed under the Land Transfer Act, and all that the Committee have to do is to make such additional rules as are necessary to enable the transfer to be carried

out locally. The new rules could not, however, be framed before the Report. I think this matter may properly be left to the rule-making authorities.

SIR H. DAVEY: I share the dislike that has been expressed by the hon. Member for Scarborough to legislation by rule, and so far as it lies in my power I will protest against it. On the present occasion, however, I think that the clause, which is a very important one, should be passed. I hope that my Friend the Attorney General will look into the matter, as I myself intend to do, with the object of ascertaining before the Report stage of the Bill what is the extent of the rule-making power. If he cannot then satisfy the House upon the subject, and I am unable to do so, I will take the liberty of calling attention to it again on Report.

Question put, and agreed to.

New Clause—

(Register to be kept by County Council.)

"Every County Council shall keep a register of the owners and occupiers of small holdings sold or let by them, and a map or plan showing the size, boundaries, and situation of each small holding so sold or let,"

—brought up, read the first and second time, and added to the Bill.

\*MR. SHAW LEFEVRE moved—

In page 4, after Clause 6, to insert the following Clauses:—

(Public Inquiry by County Council where glebes offered for sale.)

"Where notice shall be given by the Board of Agriculture of the intended sale of any glebe under the Glebe Lands Act of 1888, the County Council within whose district the glebe is situate shall direct a public inquiry to be held in the parish in which such glebe is situate as to the suitability of the same for sale or leasing in small holdings under this Act, as to the need of small holdings in such parish, and the desire of the cottagers, labourers, and others to purchase or hire plots of lands for such purpose, and also in the event of the land being unsuitable for such purpose, as to the possibility of exchanging it for other land in the neighbourhood suitable for such purpose.

If the County Council after public inquiry shall be of opinion that any glebe which the Board of Agriculture shall propose for sale within their district is suitable for small holdings, or may be exchanged for other land suitable for such purpose, and that there is a demand for the same in the parish or district in which the glebe is situate, they may inform

the Board of Agriculture that they desire to purchase the glebe, and the Board of Agriculture shall thereupon sell the glebe to such County Council for such price as may be agreed upon between them, being not less than the fair value of the same, and if no agreement shall be come to, then for such price as may be determined on under the Land Clauses Act.

Where a County Council shall have acquired any glebe with the object of exchanging the same for any land suitable for small holdings, they may hold the same until they are able to effect the exchange, and the cost of effecting the exchange shall be part of the costs of acquisition of such land for the purpose of this Act."

This is a question which has often occupied the attention of the House. I find that out of 131 cases in which glebe land has been offered for sale, in not fewer than 112 instances has it passed into the hands of the powerful landowners of the district. Only three plots have been sold to labouring people. Thus the intention of the Glebe Lands Act, 1888, has not been carried out. I have taken pains to ascertain why this failure has occurred, and it appears that not sufficient notice has been given of the intended sales to enable the people of the district in which they were to take place to come forward as purchasers. The only information previously given, so far as I am aware, is by means of notices posted on the church doors and at the post offices. I have been told by many people that numerous cases have occurred in which no inquiry has been made, and no notice given to the people of the district in which the sales were to take place. It is to rectify this, to facilitate the creation of small holdings, and to see that the Act of 1888 is carried properly into effect, that I move the insertion of the clause.

New Clause brought up, and read the first time.

Motion made, and Question proposed, "That the Clause be read a second time."

\*(6.33.) MR. CHAPLIN: I am bound to admit that only a small number of the glebes sold since the passing of the Glebes Act has gone into the hands of the class of small holders. The right hon. Gentleman attributes the failure of the Act entirely to the fact that there was not sufficient pub-

licity given to these sales; but I state this as a positive fact, that in accordance with the terms of Clause 1 of the Act, in every single instance glebes have been offered in the first instance in small parcels for the purposes in question, or to the Local Authority for the purposes of allotments. What further publicity can be given I do not know. The right hon. Gentleman proposes, in the first of his new clauses, that there shall be a public inquiry; and in the second, that if upon that inquiry there is found to be a demand for small holdings, the Local Authority are to inform the Board of Agriculture that they desire to purchase the glebe, and that the Board shall—not may—thereupon sell the glebe to the Council at a price agreed upon between themselves. Suppose they do not agree on the price, what is to happen then? It appears to me the effect of the clause will either to limit the market, and thereby to injure the sale of the glebe, or to injuriously affect the income of the incumbent, or else the clause will have no effect whatever. Then, again, I am afraid that the inquiry called for by the right hon. Gentleman would be very expensive, and by whom is the expense to be borne? Is it to be borne by the glebe, or by the Local Authority, or by whom does the right hon. Gentleman propose the expense shall be borne? I admit the object he has in view is a good one; it is unfortunate that glebes when sold should not be used in larger proportion for this particular purpose, but I do not see anything in the clauses of the right hon. Gentleman which would remedy the state of things. I am rather inclined to believe that if we were to pass clauses in the form they are presented they would not encourage the sale of the land for this purpose—they would have a contrary effect. The mere passing of this Bill will probably have the effect that people will have greater opportunities for the acquisition of land for this purpose than ever before, and I would suggest to the right hon. Gentleman that it would be well to allow the Bill to pass without these new clauses, and we should see the effect of it, and then if we find that further reform is desired

Mr. Shaw Lefevre

in regard to glebe lands I shall be very glad to consider a proposal on the subject.

\*(6.39.) MR. WINTERBOTHAM: From my own knowledge I can confirm what the right hon. Gentleman the Member for Bradford has said that the failure of the Glebe Lands Act, in so far as it was intended to promote the creation of small holdings, has been largely due to the manner in which sales have been effected. The clause proposed by my right hon. Friend would be most valuable; it would allow a County Council to take glebe where the parson wants to sell, and has expressed to the Board of Agriculture his readiness to sell, and if that land should not be exactly suitable for small holdings, the Council may acquire it and then, by exchange, get land which is suitable for the purpose. From our point of view, I see no objection to the clause. It might possibly diminish the price of the land, says the right hon. Gentleman (Mr. Chaplin). What, diminish the price to bring in another competing purchaser in the shape of the County Council? How could you diminish the price by increasing the demand? I think it will be much more likely to promote the sales of glebe, and at the same time further the object of this Bill, for land is often more likely to be acquired in this way than by asking a landowner to split up his estate. I hope my right hon. Friend will persevere with his proposal, and take the opinion of the Committee upon it.

\*MR. SHAW LEFEVRE: The right hon. Gentleman (Mr. Chaplin) has discussed the second clause as well as the first. I only discussed the first clause. The first and most important point is that there should be a public inquiry in the parish prior to the sale of the glebe—an inquiry in which the whole circumstances of the land and the condition of the people would be investigated, and in which the labourers in the district would be adequately informed of the intentions of Parliament and the offer of the sale of the land for the purposes of this Bill. That I hold to be of the highest importance. I do not think there need be any expense whatever. All that would be necessary would be that an agent of the County Council should go to the parish and hold

an inquiry, inform the people of the intended sale, explain the provisions of the Glebe Lands Act, and of this Bill when passed into law; give, in fact, full explanation of the facilities offered under the two Acts for the acquisition of glebe for the purpose of creating small holdings. There would be no expense whatever to the Local Authority, beyond that involved in sending a single agent to hold a single inquiry. That is all that is proposed by my first clause, which of course, if the Committee accepts, I shall follow up with the next clause. But this first clause has simply for its object a public inquiry and explanation from the labourers of the district of the intentions of Parliament in relation to the sale of glebe lands. At present the people have no information; the whole thing is conducted in a "hole-and-corner" manner; the glebe is sold without any public inquiry or the people for whom the sale was intended having any knowledge of the sale or any opportunity of bidding for the land.

MR. ARTHUR H. DYKE ACLAND (York, W.R., Rotherham): Is the only objection of the President of the Board of Agriculture on the ground of expense? He must be aware that inquiries, such as are contemplated, can be conducted at very little expense. I do not see that he has made any objection to the first clause but the expense. Is that so?

\*MR. CHAPLIN: I think I may meet the views of the right hon. Gentleman in this way. Whenever there is a sale of glebe, notice shall be given by the Board of Agriculture to the Local Authority, and the Local Authority being aware that the sale is about to occur, it will be perfectly within its competence to conduct such an inquiry as the right hon. Gentleman proposes. If that will meet the views of the right hon. Gentleman I shall be prepared to agree to a clause of that kind.

\*MR. SHAW LEFEVRE: I think inquiry ought to be obligatory on the part of the Local Authority. In the past glebe lands have been sold, and they are now being sold without the people of the parish having any notice of the sale or of the intention of Parliament. It must be the duty of the Local Authority to direct an

inquiry on the spot and supply all information. I should not feel satisfied with a merely permissive clause.

COLONEL GUNTER (Yorkshire, W.R., Barkstone Ash): A notice is posted on the church door, and the matter comes before the local Sanitary Board, who are bound to inquire into the particulars before any sale can take place. I speak from experience as Chairman of a Sanitary Board, and I know that every possible information is given to labourers and everybody around before glebe land is sold. There is no difficulty in any person interested finding out all about it.

\*MR. SHAW LEFEVRE: The answer to that is that there are Boards of Guardians who are known to be intensely hostile to the carrying out of the Allotments Act, and have not performed their duty in the past in respect to glebe lands.

SIR R. PAGET: If the right hon. Gentleman were a little more acquainted with the manners and customs in rural parishes, he would be aware that if there is one thing which is spread abroad and becomes known in every village household it is the fact of glebe land being about to be sold. I defy anybody, if he desired, to conceal the information—it becomes known at once. It would be an altogether useless expense to insist upon a County Council inquiry in every case as to whether the land is suitable, and if there is any demand for small holdings.

Question put.

The Committee divided:—Ayes 106; Noes 183.—(Div. List, No. 128.)

It being after ten minutes to Seven of the clock, the Chairman left the Chair to make his report to the House.

Committee report Progress; to sit again upon Monday next.

#### MESSAGE FROM THE LORDS.

That they have agreed to Amendments to Short Titles Bill [Lords] without Amendment.

Statute Law Revision,—That they have come to the following Resolution, viz. :—

“That it is desirable that the Statute Law Revision Bill be referred to the Joint Committee of both Houses of Parliament on Statute Law Revision.”

*Mr. Shaw Lefevre*

To which Resolution they desire the concurrence of this House.

Ordered, That three be the Quorum of the Joint Committee of Lords and Commons on Statute Law Revision.—*(Mr. Solicitor General.)*

#### SELECTION (STANDING COMMITTEES).

Sir JOHN MOWBRAY reported from the Committee of Selection; that they had discharged Sir John Dorington from the Standing Committee on Law, and Courts of Justice, and Legal Procedure, and had appointed in substitution Mr. Mount.

Sir JOHN MOWBRAY further reported from the Committee; that they had added to the Standing Committee on Law, and Courts of Justice, and Legal Procedure, the following fifteen Members in respect of the Evidence in Criminal Cases Bill [Lords]—viz., Mr. Attorney General, Mr. Barton, Mr. Gainsford Bruce, Mr. Finlay, Mr. Henry H. Fowler, Mr. Alfred Gathorne-Hardy, Lord Francis Hervey, Mr. John Kelly, Mr. Robert Reid, Mr. Bowen Rowlands, Mr. Rowntree, Mr. Sexton, Colonel Howard Vincent, Mr. Waddy, and Mr. Warmington.

Reports to lie upon the Table.

#### EVENING SITTING.

#### ORDERS OF THE DAY.

#### SUPPLY—COMMITTEE.

Order for Committee read.

Motion made, and Question proposed, “That Mr. Speaker do now leave the Chair.”

Notice taken, that forty Members were not present; House counted, and forty Members being found present,

#### BALLOT ACT (ILLITERATE VOTE).

#### RESOLUTION.

\*(9.3.) MR. WEBSTER (St. Pancras, E.): The Resolution of which I have given notice, and which there is now an opportunity to discuss, deals with a subject which I have on previous occasions endeavoured to bring before the attention of the House. I wish to



have the proper remedy applied to the evils which arise under the present system of dealing with the illiterate vote. The reasons why, when the Ballot Act was passed, provision was made for allowing illiterate persons to vote, are set forth in the discussions upon the Bill, and Mr. Forster stated that all he wanted to secure was that a man should not be disfranchised because he could not read. This I am ready to admit is commendable, but in practice the effect of the provision for the illiterate vote has been to defeat the object of the Ballot Act. Looking over the record of the proceedings of the Committee which sat on that Act, I find that a Motion similar to that in my name was made by an hon. and gallant Gentleman still a Member of this House, and who then was Captain Nolan. He moved—

“That all special provisions for the assistance of the illiterate voter should be omitted, and that no voters save those labouring under some physical disability should receive assistance in making out their ballot papers.”

This Motion was put before the Committee which considered the operation of the Ballot Act, and I find it was carried by a majority of nine to six, that majority being principally made up of Members of the Liberal Party. Remembering this, I think I may fairly look for support for my Motion now to the other side of the House. The majority on that occasion included the late Mr. W. E. Forster and the right hon. Gentleman now the Member for Bury (Sir H. James), the only Conservative Member being Mr. Sampson Lloyd. I mention this as indicating that the proposal is not put forward with a Conservative view; the object of the Motion is to purify the source from which we on either side derive our right to sit here—to secure absolute freedom for electors to vote for whom they choose. The then Attorney General declared the purpose of the Ballot Act was to secure electors from coercion and intimidation; but I fear very much that the Ballot Act, good as it is, useful as it is, though no doubt it protects the elector from landlord intimidation, does under cover of this provision for illiterate voters let in influences which detract from the secrecy and security it was the inten-

tion of Parliament to confer. I think I can show that, especially in Ireland, the secrecy of the ballot is violated, and the free opinion of constituencies sometimes—I do not say it is general—sometimes, and very often, misrepresented and thwarted. From the Return laid before the House after the last General Election we find that of the total number of electors who then voted the proportions of illiterates were: In England one in sixty-four, in Scotland one in seventy-four only, whereas in Ireland there was the remarkable condition of things that one out of every five voters declared himself illiterate. The actual figures were 194,994 voters, and 36,722 of these claimed to be illiterate. There is a Return of a more recent date which the House was pleased to grant at my request, showing the results in bye-elections since the General Election in Great Britain and Ireland; and here I find that out of 86,470 votes given in England only 870 were illiterate, in Scotland twenty-nine out of 5,142; but in Ireland, according to one Return, there were out of 9,872, 2,173 illiterate votes given, or, according to another Return, 2,500. I may explain two Returns were given because, in the first instance, a Returning Officer at one of the polling stations where the illiterate vote was greatest omitted to return a full list of the illiterate votes. In some parts of Ireland the figures from the General Election Return show a strange position of affairs. Out of eighteen thousand voters in the four divisions of County Donegal, nearly half—7,900—claimed to vote as illiterate. In North and South Monaghan twelve thousand persons voted—2,300 as illiterate. In North and South Derry 9,300 voted—2,253 as illiterate. In Tyrone 26,700 voted, and 6,957 claimed to vote as being illiterate. It is a significant fact which I cannot leave unnoticed—and I have received a letter to-night which emphasises the fact—that from the constituencies where the proportion of illiterate voting is largest, we find hon. Gentlemen returned as Home Rule Members; and on the other hand, in the constituencies returning Unionist Members the illiterate vote is not so large. I do not believe, I cannot bring myself

to believe, that these figures represent the true state of education and knowledge among the people of Ireland. If it were a true evidence of the state of knowledge in Ireland, it would point the necessity for a more stringent measure of compulsory education. It would afford a striking commentary on the fitness of the country for Home Rule if the members of the various sections of the Party supporting the principle they were so unwilling to discuss this day week were returned by constituencies a fourth of whom were illiterate. But I do not believe this is the true condition of affairs; this is a pretended illiteracy, and it is due to totally different causes than want of elementary education. I have a number of letters here from candidates for Irish constituencies, and they all show the pressure put upon every doubtful voter to declare himself illiterate. Here is a letter from a Roman Catholic candidate for one of the Midland constituencies, in which he states that the election agent informed the voter that he was to declare himself illiterate, and he was given to understand his vote would be identified. A Leinster candidate says that in every polling booth there was a prominent National League agent or personation agent, and under the provisions for illiterate voting secrecy was destroyed in hundreds of cases. In some places, the candidate writes, the presence of the National League agent beside the presiding officer was sufficient to prevent the illiterate voter from giving his vote with the confidence of secrecy. A candidate in one of the Connaught constituencies says few of the electors knew who they were going to vote for. Some said, "for Parnell," others said, "for the priest." Several were allowed in the booth at one time, and there was very little secrecy. The presence of political agents to whom the voters were well known had an influence, to use no stronger word, over every illiterate voter recording his vote. I could give from the letters of Unionist candidates many statements of this kind, but I may also refer to an authority which hon. Members opposite may consider of more value. The newspaper *United Ireland*, on January 3rd, 1891, in com-

*Mr. Webster*

menting on the North Kilkenny election, said that priests acted as agents for Sir John Pope Hennessy at the approaches to the polling stations, and every illiterate voter was obliged to declare in their presence the candidate whom he wished to vote for; priests led the voters to the booth, by priests they were received inside, and in the presence of the clergy did the voter record his vote for Sir John Pope Hennessy. An intolerable state of things. What would have been said if, in an election at Kilkenny before the Land Act of 1881, the landlords had so acted, if they through their agents had ordered tenants to plead illiteracy and declare the candidate for whom they voted? Would not the country have rung with the denunciations from Gentlemen who call themselves Nationalists? On the authority of this same newspaper, *United Ireland*, it is said that at every polling booth the personation agents were Roman Catholic agents, that there is a complete list of them in Sir John Pope Hennessy's handwriting, and that many of these agents used language towards the voters which, if exposed to the world, would be visited with severe condemnation from the ecclesiastical authorities. Intimidation does not come from one source in Irish elections. At a recent election in Waterford, intimidation by means of this illiterate voters' provision came not from the Catholic priesthood, but from an entirely different source—from the mob. Thus we learn, on the authority of the *Daily News* of 24th December, 1891, that by noon more than half the expected total had been polled, and at that time large crowds collected round the polling booths intimidating many voters by the display of party feeling, and that this had a great effect on the illiterate voters. So the present Member for the constituency was returned by a large majority. But care not whence the intimidation comes—from the National League, from the priesthood, from the crowd, or from any other source; if it exists, if you allow the illiterate portion of the electorate to be influenced thereby owing to this special privilege, then I say it behoves us to carefully examine the manner in which the privilege has

been exercised, and its effect on the representation of the opinion of constituencies. I have some feeling of sympathy with these unfortunate voters. They are driven like sheep to the poll, and in the presence of personation agents, local League officials or priests, they have to vote absolutely, entirely, and completely to order. I have here a statement by a candidate for an Irish constituency that the voters were drawn up in a sort of regimental order, their names were carefully called over in order to mark—hon. Members from Ireland will know what the expression “mark” means—the absentees from the roll call. Then the unfortunate voters were required to declare whether they were illiterate, and they were instructed who to vote for. I fear that in many parts of Ireland electors have to vote in the presence of the returning and personation officers in a manner which renders the intimidation of the voters both possible and practicable. And here I wish to explain that in any terms I have used I have endeavoured to guard against any attack on the Roman Catholic priesthood. I have a very high opinion of the useful work they do, not only in Ireland, but in every part of the world. Their valuable missionary enterprise in India I have myself seen, and my opinion is that there are no better, no more self-sacrificing workers in the evangelistic field in China than the Roman Catholic clergy. While they confine themselves to their honourable and exalted duties I entertain the greatest admiration for them, but I do consider that they depart from their vocation when they lead crowds of people to the polling booth and dictate as to the candidate to be voted for. When that is done my admiration diminishes. I agree with the views of a great speaker on this subject, if I may be allowed to coincide with so eminent a man as Lord Macaulay, who, when the question of the ballot was first discussed in this House, pointed out that his desire for that system was prompted by the wish to secure the voter against intimidation. He further pointed out that the House had done much to rid the constituencies of corruption, and then proceeded to say—

“Corruption has a sort of illegitimate relationship to benevolence, and engenders true feelings of a friendly and cordial nature. . . . But in intimidation the whole process is an odious one. The whole feeling on the part of the elector is that of shame and degradation, and hatred of the person to whom he has given his vote. The elector is, indeed, placed in a worse situation than if he had no vote at all: for there is not one of us who would not rather be without a vote than be compelled to give it to the person he dislikes above all others.”

I venture to say that the dictum that intimidation causes pain is truly and wisely applicable to the case of the man who has to go to the polling booth and tender his vote contrary to his dictates and intention. It may be asked why I, a London Member, address the House on this subject; and, in this connection. May I point out that I do so from no personal motive? Take the Metropolis as a whole, I think I am right in asserting that there is no part of the United Kingdom in which there are fewer illiterate voters. In Marylebone there were at the last election only two illiterate voters; in the constituency represented by the noble Lord the Member for South Paddington (Lord R. Churchill) there was only one such, and I am pleased to allude to the fact that in my own constituency (East St. Pancras) there were only four illiterates. Here I will point out that in the constituency of an hon. Member opposite, the Member for South Donegal (Mr. Mac Neill)—a gentleman of great literary and general ability, and whom I respect, though his views are not mine—out of 6,304 voters, no less than 3,200 voters claimed that they were illiterate. And here it may be remarked—as the Education Act was passed 20 years ago—every man now of the age of 30 years ought to be able to affix his mark to a voting paper. In this matter we need not look abroad, but, in passing, it may perhaps be mentioned that in America, where the obtaining of a vote is practically unrestricted, they have no such system as ours. I think that in these days a man ought to possess a sufficient degree of intelligence to enable him to vote under some system. If my Motion is carried, I quite allow the possibility of some system of marks against the candidates' names, in order that the least educated man may

detect the candidate for whom he intends to vote. I have seen suggestions in a newspaper called the *Pall Mall Gazette* in other directions, but I will not touch upon these beyond remarking that they are clever, although I cannot say I entirely agree with them. My wish is not to disenfranchise the illiterates, but to prevent the infringement of the Ballot Act. Instituting a comparison between two cities in Derry and the Borough of Wandsworth, a strange and grave anomaly presents itself. In the former 5,000 electors have two Members of Parliament, whereas in the latter one Member represents 16,000 inhabitants. Can you imagine anything more striking than that nine men should only have the same weight in the Council of the nation as one illiterate voter in the divisions I have mentioned? Reverting to the question of intimidation, I very much doubt whether under the open system of the past that evil was so glaring as under cover of the clauses of the Ballot Act. The privilege of voting as conferred by that measure has, in my opinion, been notoriously and gravely abused. Indeed, I do not think that Parliament can fairly be said to represent the views of the people unless we have each district fairly and equitably re-distributed according to the population, and in such a way that a man may vote just as he chooses. The admirable intention of Parliament in this matter has been degraded, the secrecy of the Ballot has been violated, and it is essential that some remedy should be found. I could say much more on this subject, but I refrain in order that we may have a varied discussion of the expression of other views on a question which is grave and comprehensive, and which ought not to have a party character. My wish is to place the constituencies in the position the Ballot Act intended—that every man should be elected by the free wish of those whom he is sent to represent in this House. I beg to move—

“That, in the opinion of this House, in the interests of true freedom of election, the clauses in the Ballot Act which permit the Illiterate Vote should be repealed.”

\*COLONEL WARING (Down, N.): I rise to second the Motion, and I shall

*Mr. Webster*

do so in a very few words after the exhaustive introduction of the hon. Member who has just sat down. It must not be supposed that my motive in seconding is to disenfranchise any man; and in reference to what has been said regarding the illiterates of South Donegal, I will venture to doubt whether, out of the three or four thousands who voted for the hon. Member representing that constituency, there were more than three or four who could not have dabbed their pencils down in the right spot. I believe the average Irish voter to be a shrewd, intelligent fellow, and am perfectly certain that in nine cases out of ten he can, when called upon, place his vote mark in the right place, unless he deliberately puts it somewhere else. This question is not a new one. For the last five years I have had a Bill before the House aiming at a reform in this matter, and in the earlier stages I deemed it necessary to somewhat modify it in order that those who differ from me might not prefer the charge of disenfranchisement. I also introduced several devices in imitation of tramcar tickets, so that the voters might, by strips of colours, easily distinguish between the various candidates. My Bill provided that no minister of religion, of whatever denomination, shall be an agent in the booth or remain in or about that place. In making that proposition I have not the slightest intention of attacking any particular Church, for I consider the political interference of ministers of religion, of whatever denomination, harmful not only to themselves, but also to the body politic. Though ministers of religion they have a perfect right to their own opinions and a right also to express those opinions, but interference in the polling booth is entirely beyond their sphere. I have said this subject is not a new one. Shortly after the Act was passed an important Commission discussed the general provisions of the measure. The Report of that inquiry has already been alluded to, and I propose further to draw attention to one or two important features of the evidence given. One of the witnesses called before the Commission was Sir Joseph Heron, the Town Clerk for Manchester, who had acted as the



Returning Officer for that city. Colonel Nolan said—

“A member of your Committee stated that the special provision might be used not only to delay voting, but also to facilitate bribery and intimidation.”

Sir Joseph Heron answered—

“In some places it seems to me that it would inevitably be the fact that they would arrange beforehand how they were to vote, and they would declare themselves to be illiterate in order that they might prove before the agent that they had voted as they had promised.”

The hon. and gallant Member for Galway, when he tendered his evidence, was asked—

“What is your view with regard to illiterate voters?”

He answered—

“I think I have had as much experience as any Member of the working of the Ballot machinery in Ireland for this reason, I made a canvass of the constituency before the Dissolution, and explained the Ballot to a great many voters and found that the general opinion among them was that nearly everyone, if he wished, would be able to mark the paper without telling anyone which way he wished to vote. “I found a great fear that if pressure was put upon the illiterate voters it would affect their votes, and that there were very few voters so illiterate that they would not be able to mark their votes in the same way as ordinary voters.”

The result was, I believe, that Colonel Nolan moved a clause in the Report to the effect that this special provision might be used as a means of discovering whether a man voted in accordance with a promise already made and that it might also be used to encourage bribery and intimidation. That is, as the hon. Member has pointed out, the use that has been made of illiterate voters, and we, therefore, desire to see this provision done away with. We have no wish to preclude them from recording their votes. Our opinion is—and the evidence of those most acquainted with the matter confirms our impression—that this class of voters would have been able, with few exceptions, to accurately give their vote without assistance. Recent experience has proved that a change in the law in this respect is required more than ever. As it was utterly hopeless for a private Member to get a Bill forward for Second Reading, unless he happened to be exceptionally fortunate in the ballot, I have withdrawn my Bill in order that

my hon. Friend might bring forward this Motion, which I have much pleasure in now seconding.

Amendment proposed,

To leave out from the word “That” to the end of the Question, in order to add the words “in the opinion of this House, in the interests of true freedom of election, the clauses in the Ballot Act which permit the Illiterate Vote should be repealed,”—(Mr. Webster,)

—instead thereof.

Question proposed, “That the words proposed to be left out stand part of the Question.”

(9.42.) MR. MAC NEILL (Donegal, S.): I shall keep the House for a short time only, and indeed I should not have interfered at all in this Debate had not some personal remarks been made as to my own position. I must say that on a Motion of this kind, the tendency of which is to disfranchise a section of the community, the absence of many right hon. Gentlemen from the Treasury Bench is a subject of interest to me.

An hon. MEMBER: Where is the Opposition Front Bench?

MR. MAC NEILL: The Opposition Front Bench do not think it worth their while to attend, and I should not have thought it worth my while, but I chose to ward off slanders from my constituency when I have the opportunity. It is pleasant to see the courage of the hon. Members who have brought forward and seconded this Motion on the eve of a General Election. I should have imagined hon. Gentlemen on the other side of the House would have been much more anxious to see how they could catch the votes of illiterate voters than to disfranchise them. This proposal, Mr. Speaker, is not a good one to go before the country with, and accordingly I regard with some amusement the absence of the Gentlemen who are mainly responsible for the course of Irish business. Now, Sir, this question of the non-education or illiteracy of Irish voters is one which lies very deep at the root of Irish misgovernment. Both hon. Gentlemen stated their case with great fairness, but the hon. Gentleman who introduced the Motion seems to have forgotten that Mr. Forster's Act was an English Act, and that the body of men—the Christian

Brothers—who have the whole education of the people of Ireland in their hands are not supported by one farthing of public money. It is not the fault of the Irish people that they are ignorant. They owe their ignorance to a system which for years has kept the scales of darkness on their eyes. Mr. Speaker, I have the honour and privilege of knowing many heads of households in Ireland who are illiterate. Long before I entered into politics special circumstances brought me into connection with them, and I can assure the House that many of these men who can neither read nor write are men of extraordinary intelligence and with an extreme zeal for learning. The real aim of this Motion is not to make the Ballot absolutely secret—hon. Gentlemen opposite resisted the Ballot as long as they could—but to disfranchise the men whom they suppose to be most under the power of the popular leaders of the country. I admit that these men are under that power, and why? Because they look with confidence to their leaders for protection against misery and injustice. But I am happy to say that the illiterate voter is dying out; he belongs to the past generation. The men who can neither read nor write are the victims of the atrocious system of government of times gone by. Do hon. Gentlemen who reproach the Irish race with ignorance know that it is the fault of former Unionist Governments in Ireland of which they are the successors? Do they know that every inducement in the way of learning has been held out to the peasants of Ireland to forsake their religion, but all in vain? One of the most wonderful chapters in Irish history is that which relates to the Charter Schools. These institutions were founded in Ireland by the English Government with the object of getting possession of the Irish Catholic child, and giving him a good Protestant education, and if he were a clever boy to send him to Trinity College. All this was done to entice the peasant away from his religion, but without success. The ignorance of the Irish people, having regard to the circumstances under which it exists, is to be admired and respected, for I know of no

*Mr. Mac Neill*

nation in Christendom where a people who have had such strong inducements to abandon their faith have kept to it. Unassisted as they have been, I maintain that the Irish have done their best to educate their children. Well, Mr. Speaker, blame has been cast upon the Irish priesthood—not directly but indirectly—for bringing the illiterate voters to the poll.

An hon. MEMBER: Hear hear!

MR. MAC NEILL: Who says "Hear hear"?

MR. GRAY (Essex, Maldon): I say "Hear hear!"

MR. MAC NEILL: The hon. Gentleman represents an agricultural constituency in England, and would he not be delighted if he could get the Primrose League parsons to take the smock-frocked labourers to the poll to vote in his favour? Well, Mr. Speaker, I have been through many elections and I have seen the action of the Catholic priesthood, and I can conscientiously say that these clergymen do nothing that other good men in their position would not do. They have great influence over the people because they deserve it. They guide the people and tell them how they should vote, and the people to whom these priests, in good days and in bad days, have been protectors and friends, generally act on their advice because it is for their own benefit. I am rather astonished at the absence of the Home Secretary from this Debate. If when a similar charge was made against the Irish priesthood some years ago, when the right hon. Gentleman was Member for Dungarvan and an obscure Member on the Opposition side—obscure men have only to rat and they became eminent on the Front Ministerial Bench—he said it was a social misfortune in Ireland that circumstances had forced the clergy into a position of prominence on political occasions, and had obliged them to become leaders on the popular side, and he added that the landlords must bear their share of blame for this result. The right hon. Gentleman also said that the Irish people had in their clergy "their only advisers and leaders." The idea that the clergy by acting as personating agents have, in the slightest degree affected the votes of these people is absolutely preposterous.

The people are only too delighted to show their respect and affection for their clergy—who have never yet led them wrong—by listening to their counsel and advice, and I maintain that the clergy have exercised their legitimate influence in acting at elections as they have done. Now, Sir, I wish for one moment to refer to a personal matter. It has been insinuated that my return was due to clerical intimidation or interference. I was returned by, I think, 4,606 votes, and my opponent was returned by 999 votes—at least that is how many votes he returned to Brighton with. It will scarcely be believed that the man who was put up by Dublin Castle to oppose me never came to the constituency at all. An agent was sent down, however, but for no other reason than to put us to expense. I was not returned as a Catholic, because I am a strong Protestant, while Mr. Munster—the Dublin Castle candidate—is a Catholic and a Liberal Unionist to boot. The true motive of this Motion is not to make the Ballot more secret, but to disfranchise a large number of men whose illiteracy is not their own fault, but the fault of those who, as long as they could, kept education from the people. I congratulate the Tory Party on having brought forward such a Motion as this immediately before the General Election. It shows that in going back to their constituencies they distrust the people. Lord Salisbury was the first to start this notion in a speech he made at the Mansion House in August last, but it has not been taken up by the First Lord of the Treasury. Now we have got a House for this discussion, I hope we shall go to a Division, because I am anxious to see how the Chief Secretary, and the Attorney General, and the First Lord of the Treasury will vote, and I hope the Division List will be a long one. I represent a constituency that is called illiterate, but I represent people who, if I transgressed in the slightest degree the moral code, would quickly call me over the coals. In their households in Donegal purity of life is known, and all the social virtues; the marriage tie is respected, and female virtue is safer than in a first-class carriage in one of your railway trains. If my

constituents are illiterate they have probably exercised more intelligence than their more cultured neighbours, and I would not exchange them for the constituents which have returned hon. Gentlemen on the other side.

(10.3.) SIR WILFRID LAWSON (Cumberland, Cockermouth): I rose before to take part in this Debate, but an hon. Friend said to me, "I would not speak till you hear the arguments on the other side." I have waited to hear the arguments, and I am waiting still. The hon. Member who has just sat down made a long speech, but he did not touch the question we are debating. I do not know what this has to do with the persecution of the Irish; the question is, is it a good thing or not that illiterates should be allowed to vote at elections? I congratulate the hon. Member (Mr. R. G. Webster) on having succeeded in getting a House, and I think it would have been a pity if he had not; for what can be more interesting to a Representative Assembly than a discussion on the manner in which it is elected?—and with all its faults this is the noblest Representative Assembly in the world. I venture to speak on this subject to-night, because I have been in the House a good while longer than many Members, and I remember the time when this Illiterate Clause was brought in by Mr. Forster. I forget who proposed it, but I remember that it came on about dinner time when the bulk of the Liberal Members had gone home to dinner. Two or three Liberal Members got up and said they were in favour of the clause, and Mr. Forster said afterwards—

"Well, I could not do anything else; there was no one here to back me up, and I was obliged to agree to the clause."

It was not carried by a very full or a very unanimous House; and after it had been carried I went into the Lobby and found an old friend of mine, a very strong Tory, who was literally dancing with delight. He said, "Now we have got this Illiterate Clause it is all right." He felt sure, as my hon. Friend (Mr. Mac Neill) feels sure, of being returned. But whether this clause was right or wrong, I would ask whether it is desirable to make

provision for these illiterates now that twenty years have elapsed since we passed the Ballot Act? We have had education—Government education, compulsory education, and now free education—and it seems to me that even if it were necessary then it cannot be necessary now. I do not want to disfranchise anybody, and I do not think it is right to call this a disfranchising Motion. I do not think we can go into the matter as to whether people are very clever or whether they are able to discuss politics. The other day we were told that women were not to have votes because they were too stupid to exercise them. ["No!"] I know nobody said it, but I heard the leader of the anti-women party (Mr. S. Smith) say they are as good as we are; and having heard what was said, I think there is no other argument than that women are too stupid. But I would not disfranchise anybody, not even Peers, and I do not think we can go into an educational test at this time of day. It would be a ridiculous thing to confine the franchise only to those who are sufficiently educated to use it. If an educational test were necessary, I am afraid I should have very great difficulty myself in getting through. I think the whole question is whether the presence of this clause allowing illiterates to vote is, on the whole, an improvement of our representative system, or whether we should be better without it. We have had the Ballot now for nearly a generation to protect the people from a twofold injustice—from undue influence and undue corruption, from undue persuasion and from undue intimidation; and in my humble opinion, and from what I have heard and read, the keeping in of this clause about illiterate voters tends to weaken that system of election which we wished to adopt. It is, I really do think, ridiculous at this time of day to say these people could not vote. They could vote if they liked. With all the advantages we have in this country, and the extreme desire people have to get votes, it is absurd to say that they would not find out how to put their cross in the proper place on the ballot paper. They are not such fools as that. The hon. Member for South

*Sir Wilfrid Lawson*

Donegal (Mr. Mac Neill) said that these illiterate voters were men of extraordinary intelligence, and I think they would certainly have intelligence enough to know where to put a cross.

MR. MAC NEILL: Wise men make mistakes sometimes.

SIR WILFRID LAWSON: I do not deny that; but what has that to do with the argument? The Member for South Donegal said that these illiterate voters were dying out. Then it is surely not necessary for us to keep up a clause for their protection; we do not want to protect dead men. My own opinion is, that the illiterate voter is a greater humbug than the *bona fide* traveller, and I say do not let us by our legislation confer special privileges on either dodgers or dunces, but put everybody on the same footing, and let all be protected fairly and fully by the Ballot Act. That is the principle of political equality, and, therefore, I shall support the Motion of the hon. Member.

(10.12.) MR. T. HARRINGTON (Dublin, Harbour): If the strong feelings to which the hon. Baronet has just given expression are his real views, it is a pity he did not endeavour, before making his speech, to bring the Motion more closely in accordance with those views. It seems to me that there is a strange inconsistency between the arguments which have been advanced in favour of this Motion and the words of the Motion itself. We are assured by the Mover and Seconder, and by the hon. Baronet, that they are all in favour of the franchise, and that they are all in favour of giving the franchise to the illiterate voter; but it is a singular fact that the combined ingenuity of the hon. Gentlemen has not been directed to find words which would give the means of secret voting to the illiterate, but to deprive him of voting at all. Instead of applying a remedy or devising a means by which the illiterate voter can give his vote free from intimidation and free from influence, the hon. Gentleman is endeavouring to deprive the illiterates of their votes. If the Motion of the hon. Member for St. Pancras (Mr. Webster) had been a Motion to free the illiterates—whether in England, Ireland, or Scotland—from any influence that could



control their vote, and to give them the same freedom of voting which the most educated and literate voter possesses, I would record my vote in its favour; but as it stands, it is nothing else, and can be nothing else, but a disfranchising Motion. It is idle for the hon. Baronet (Sir W. Lawson) to say that if the House passes this Motion the vote will be anything else but an attempt to deprive the illiterate voters of any means of recording their votes. We have had some strange arguments from the Mover of this Resolution (Mr. Webster). He endeavoured to be facetious at the expense of our country, and declared that it was the illiterate portion of Ireland which had given its vote solidly in favour of Home Rule. It is quite true; but does not the hon. Gentleman see that there is another side to this question? It is only natural that a body of men, which have been kept in the condition in which the Irish people have been kept under your laws and under your Government, should be extremely desirous of devising a system of government which would bring them better conditions. If the great body of the Irish voters are illiterate, the shame is not theirs; the shame belongs to the system of government which you have practised in that country. The speech of the hon. Member is a libel on Ireland. No body of men have with more difficulty and greater expense to themselves endeavoured to educate the people than the priesthood of Ireland. You have had in this country the advantages of a system of assisted education. In Ireland they have had to educate the people at their own expense; they could not have recourse to the means by which the national system of education was carried on. But I do not want to go back to such things, and it is only because I hear hon. Gentlemen utter such a slander as to say that the Irish priesthood have endeavoured to keep the people ignorant that I feel bound to say it is not true, and that hon. Gentlemen on the other side should be the last persons to make such assertions. We have heard a great deal about the system of intimidation exercised in Ireland; but why, if you wish to be consistent, should you, in order to punish the man who practises that

intimidation, deprive the illiterate of his voting power, and allow the man who practises intimidation to go scot free. Is it impossible for Parliament to devise some secret means of voting by Ballot for the illiterate voters and for those who, in consequence of some physical disability, may not be able to record their votes? We have been told how in Ireland the voters are brought up by the priests to the poll. I regret that the priests have found it necessary, in the exercise of their duty, to take so prominent a part in political matters as they have done. But that is not confined to the priesthood in Ireland. I have seen the same thing at English elections. (Cries of "No!") Hon. Gentlemen may give their own experience; I am speaking of mine. I was at Barrow, and saw clergymen exercising the same system. That is not the argument. What we are addressing ourselves to is, Is the system bad? If so, stop it everywhere. What we want in Ireland is equality of votes, and if you find that system good for the government of your own community we shall be glad to follow your example in Ireland, when you give us the right to do so. Now, Sir, a great deal was endeavoured to be made out of the election of the hon. Member for South Donegal (Mr. Mac Neill). The figures quoted are undoubtedly figures which, if we did not know the circumstances which brought them about, would be to a large body of Irishmen a source of humiliation. It is necessary, however, to remember that the district is an almost exclusively Irish-speaking district. If you had given them the means of educating themselves in their own language—and you never have—you would not be able to say they were illiterate because they cannot read a ballot paper printed in English. If you take the figures for the whole country, how much do you gain by it? Some hon. Gentlemen say that some Home Rule Representatives would not be in the House but for the illiterate votes cast. Let them point out a single constituency where, if the illiterate voters had gone to the other side, the same Representative would not have been returned. In the constituency where the highest illiterate vote was cast the Unionist candidate

polled 900. In one constituency at the General Election the Unionist candidate polled 74; if you were to add to those the whole of the illiterate votes, the Home Rule Representative would still have been returned. Of course, Sir, I admit at once that there is a great deal in the argument that there is a certain number of men who could properly record their votes and yet give illiterate votes, and I admit that there are cases where that power has been abused. But are you, because of that, to deprive every illiterate voter, every man suffering from physical disability, many of whom are intelligent men, of the right to vote? I admit while the present provision exists you give to the weakest members of the community—the men most liable to temptation—an opportunity of being corrupt in the exercise of their votes which you do not give to others. That is an anomaly and a grievance; but when I put that side by side with the question of depriving every illiterate voter—many of them intelligent men—of their votes, I cannot think of voting for the Motion. It is useless for Unionist Members to rely on the arguments put forward with regard to the election in South Donegal. If the votes were cast at the instance of the priests, if the priests came forward and advised the voters and accompanied them to the poll, the votes were cast for a Protestant and a stranger, who was never in Donegal before. When you accuse the Irish priests of bigotry, sectarianism, and a desire to exterminate Protestants, you contradict your own arguments when you point out that they persuaded the illiterate voters in Donegal to vote for a Protestant and a stranger. The hon. Gentleman would have little difficulty in passing his Motion if he would only put in the words of the Motion the principles which he avowed himself a supporter of in his argument. If the Motion passes in its present form it will undoubtedly deprive the illiterate voters of the right to cast their votes. ("No, no!") I must assume that hon. Gentlemen have not read the Motion, or that they do not understand the English language. I would be sorry to accuse any inhabitant of South Donegal of so much want of intelligence, if he could read the Motion, as to say it was

*Mr. T. Harrington*

not a disfranchising Motion. If the hon. Gentleman desires to prevent any suspicion that the Motion is for the purpose of disfranchising the illiterate voters, let him amend it and put it in a form which will make it clear that he wishes to devise some method by which they can give an uninfluenced vote, and he will then have the support of many Members on this side of the House.

\*(10.30.) MR. T. W. RUSSELL (Tyrone, S.): The Motion has been discussed as if it affected Ireland only. That is an entire mistake. The Motion covers the illiterate voter wherever that illiterate voter may exist, and that he exists elsewhere than in Ireland is abundantly proved by the figures in the Parliamentary Return. At the Election in 1885, out of 3,734,693 votes polled in England and Wales, 80,430 were illiterate votes. In Scotland, out of 447,588 votes polled, 7,708 were illiterate, while in Ireland, out of 450,906 votes polled, 98,404 were illiterate. I admit that there is a preponderance of illiterate votes in Ireland, but that does not justify speakers in attaching a sectional character to the Resolution. It affects illiterate voters throughout the United Kingdom. If the Resolution be passed and legislation is founded upon it, that legislation must affect England, Scotland and Wales, as well as Ireland. There is no doubt that the question must have a peculiar effect upon Ireland, as is shown by contrasting different parts of Ireland. Take Antrim and Cork, for instance. In 1885 there were 29,698 votes cast in County Antrim, and out of that number 2,550 were illiterate. In the County of Cork there were 30,047 votes, and of that number 11,587 were illiterate. That is a tolerable contrast; but, if you take the cities of Belfast and Cork, the contrast is as remarkable. Out of 25,178 votes cast in Belfast, 1,559 were illiterate, 999 being in the Western Division, represented by the hon. Member for West Belfast (Mr. Sexton). In the City of Cork, with a vote of 8,376, there were 1,297 illiterates. In the two divisions of County Down, out of 16,010 votes, 2,182 were illiterate, of which number 2,021 were cast in the Southern Division. In the face of

facts like these, the Resolution must have a special bearing on Ireland, but it should not be treated as a purely Irish Motion. The facts are not denied. Then what is the answer of the hon. Member for the most illiterate constituency in the three kingdoms—South Donegal—to this state of affairs? I think it was that it is not the Irish priest, and not the Irish peasant, who is to blame; it is the English Government. The English Government is a very convenient packhorse, but I protest against its being made to carry this load. When was the system of national education established in Ireland? It was in 1831, and therefore we have had sixty years during which education has been brought to the door of every peasant, and practically free. I am told in an aside that the Catholics could not accept that education. Who were the men on the first Board of National Education? Archbishop Murray, the head of the Roman Catholic Church in Ireland at the time, was one of the leading promoters of the system. Why tell me that the Catholics could not accept the system sixty years ago, when the head of that Church was a member of the Board? It is impossible to put forward that argument. If the Catholics have not accepted the system, as the Protestants have accepted it, the results are seen when you contrast the counties of Antrim and Cork and the cities of Cork and Belfast. I submit, Sir, that the Resolution has been misrepresented to the House. The hon. and learned Member for the Harbour Division (Mr. T. Harrington) treated the Motion as a disfranchising Motion, and said that if it had been as liberal in its terms as the speech of the hon. Mover, he should have felt inclined to vote for it. What are the terms of the Resolution?—

"To call attention to the provisions of the Ballot Act in regard to the Illiterate Vote; and to move 'That, in the opinion of this House, in the interests of true freedom of election, the clauses in the Ballot Act which permit the Illiterate Vote should be repealed.'"

Mr. T. HARRINGTON: Will the hon. Gentleman allow me to say that what I contended was that the repealing of those clauses would deprive the

illiterate voter of any means of voting at all?

\*MR. T. W. RUSSELL: I do not think the hon. Member has mended his position by the interruption. The Motion does not disfranchise illiterate voters; it simply withdraws the privilege that this House conferred on ignorance twenty years ago. If it were passed and legislation founded upon it, the illiterate voter instead of being disfranchised would find himself exactly in the position of the voter who can read and write, which is the position of most of the men who pretend to give an illiterate vote. The illiteracy of the Irish voter in great part is a fraud, is contrary to public order; and the priest, as personating agent in the booth, is able practically to control the vote which ought to be given in secret. Voting is not secret while that state of things exists. We have had eulogies of the Roman Catholic priests to-night, and I am not going to say a word against these gentlemen as priests, or that they do not deserve the eulogium passed upon them. They may be all that is said of them, but in the eyes of this House they are simply citizens. The hon. Member said that English clergymen acted in the same way, and that he had seen them.

Mr. T. HARRINGTON: I did not say it in that connection. I was replying to the Mover of the Resolution, who spoke of an instance where he had seen in some county in Ireland the priests accompanying the voters to the poll. The voters were drawn up outside the booth and the priest took their names. He described precisely what I have witnessed in an English constituency. I did not speak of English clergymen being personating agents or going into the booth, nor did I defend the Irish clergymen who did so.

\*MR. T. W. RUSSELL: I think the hon. Member has publicly and effectually barred himself, in Ireland, from taking that position. But what I want to point out to the House is that any attempt to draw any analogy between Irish and English clergymen in this matter must fall to the ground. I have been at more elections in England than the hon. and learned Member,

and I have never yet seen an English clergyman, either belonging to the Established Church or a Nonconformist minister, acting in the way in which I have seen Roman Catholic priests acting in Ireland. I have never seen, and the hon. and learned Member for the Harbour Division has never seen, an English clergyman or a Nonconformist minister inside a polling-booth at an English election acting as a personating agent; and that is exactly the point where the danger comes in. If the Roman Catholic clergyman is not there inside the polling-booth acting as a personating agent, the illiterate vote might be tendered with impunity; and I say that his presence there, acting as a personating agent, invalidates the secrecy of the Ballot and the freedom of the electors, and if it was only for that reason alone, I should vote for the Resolution of the hon. Member. I submit now—because this is not a matter on which I wish to speak at any length—that the prevalence of illiteracy in Ireland must be a much more serious thing there than in this country. But I do not think that this is a disfranchising Resolution. It simply leaves the illiterate voter in the place occupied by every other voter, so that he can do with his voting paper whatever he pleases; and that was the object the Legislature had in view in passing the Ballot Act. I would object to any man wielding the power which a Roman Catholic priest wields in Ireland, being inside the polling-booth, acting as a personating agent. To see him standing there in the presence of the poor, illiterate voter to see how his voting paper is marked, and then to pretend that that is secrecy of the Ballot, is absurd nonsense. For that reason I support this Resolution.

(10.44.) MR. SEXTON (Belfast, W.): I noticed that when the hon. Member for South Tyrone was referring in almost scornful tones to illiteracy in Ireland the most noticeable cheer—in fact, the only mocking cheer—which came from the other side of the House, came from the only Catholic Englishman, except the Home Secretary, who sits upon that side of the House.

*Mr. T. W. Russell*

MR. DE LISLE (Leicestershire, Mid): When you have finished I shall have something to say.

MR. SEXTON: We are so accustomed to inarticulate expressions of opinion from the hon. Member that I, for my part, should welcome, if only for the novelty of the thing, any articulate expression of opinion from him, whatever may be its import. As I have said, the hon. Member, with the exception of the Home Secretary, is the solitary Representative of English Catholicism in this House. When the hon. Member for South Tyrone makes references to the illiteracy of the poor in Ireland—which has been their misfortune, not their crime, the result not of their own inclination, but of your policy—a mocking cheer comes from the Representative of the class of Catholics of this country, the aristocratic sections of whom have never had any sympathy with the sufferings and the wants of their poor Irish co-religionists. He is not ashamed to utter that mocking cheer, although he knows very well that if it had not been for the sufferings and the struggles of those poor ignorant Irishmen, those illiterate Irish who could not mark a ballot paper in the days of O'Connell any more than they can now—but, of course, there was open voting then—if it had not been that their trials, their sufferings, their shrewd and intelligent perception of political issues, notwithstanding the fact that they could not read and write, the hon. Gentleman and English Catholics whom he represents might be standing to-day outside the pale of the British Constitution. The miserable ingratitude of such conduct on the part of a class of the citizens of a great and wealthy country, who owe their emancipation to their efforts, must strike with disgust the mind of every chivalrous Protestant gentleman, no matter what may be his opinion on the Motion before the House. I confess upon the question of principle it appears to me to be open to discussion whether education, even primary education, is an essential to the intelligent exercise of the vote. I am glad that the First Lord of the Treasury is present. He is disposed to take a philosophical view



of political questions, and I would put the point before him with some confidence whether it is so self-evident that a man who may be able to read and write is necessarily a more intelligent politician, or can cast a more intelligent vote, than a person of natural shrewdness and intelligence who has been condemned by circumstances to what is called ignorance, so far as education in schools is concerned? I am perfectly certain, though I have no clear proof of it, that there are Irish-speaking peasants in Donegal who take a more shrewd and intelligent view of their interests upon political questions—and it is for the protection of their own interests that the vote has been given to them—I say that there are Irish-speaking peasants in Donegal who take a more shrewd and intelligent view of political questions that concern them, than the hon. Member who moved this Motion takes on any political question, although he took a first at the University. If it were possible for this House to establish a competitive examination and draw a line across that Bar, and put at the Bar the hon. Gentleman who moved this Motion, and beside him an Irish-speaking peasant from Donegal, and cross-examine them both upon Irish political questions, I think the Irish peasant would come out uppermost. We talk about education. This House, I suppose, represents the quintessence of the efficiency of education. The Members of this House are supposed to be the most educated class, taken all in all, in the country. But to what practical use do Members of this House put their education in determining political issues? I think if we take the Divisions every day we shall see how the highly educated Gentlemen who are Members of this House apply their education in determining the issues brought before them. They smoke in one room, and play chess in another, and read the newspapers in another, and when they come to exercise their vote they take their directions from the Whips. I think an English gentleman who is vested with a responsible trust, when he takes his directions from a Whip at the door of this House, acts in a spirit which more requires restraint at the hands of

the Constitution than an Irish peasant in Donegal when he takes advice from a priest. And I submit, if the vote has been given to a citizen for his own protection and for the advancement of his interests, that it is not an essential question whether or not that man can read or write. These poor Irish peasants, whether they speak Irish or English, have interests to protect. They follow the course of politics, though they are not able to read or write. What is the true inwardness of the Motion which has been presented to the House? It is simply this—that these men upon whose ignorance you depend for suggesting that they do not understand their own interests, apply their votes so much to the direct advocacy of their own interests that you find it has resulted to your inconvenience. There can be no doubt whatever that if the peasants in Ireland, literate or illiterate, had been found to vote in favour of the hon. Member who brought forward this Motion and hon. Members who have supported it, that that learned Gentleman who obtained such distinction at the University and who moved the Motion to-night would be found to be the loudest advocate in their favour. The Debate upon the Motion has resolved itself into an indictment of Ireland, and into an indictment of illiteracy in Ireland; and I am not surprised to find, from the patriotic services of the Irish priesthood, that the Debate on the Motion on the part of certain Gentlemen has resolved itself into an indictment of the Irish priests. It has been said that there is no analogy between the action of the Irish priests and the English parsons. No, Sir, there is no analogy. I should scorn to admit that there is any such analogy. The English parsons act selfishly, the English parsons act stealthily, and they often act corruptly; they always act in the interests of a social class and of a political party. The Irish priests act in the interests of their country because they love their people. It has been said that the Irish priests have striven to keep the peasants in ignorance. Well, Irishmen have long memories. It is not so long a time since, when the Irish priest endeavoured to teach his people, you

set upon his head the same price as you set upon the head of a wolf. You have been 700 years in Ireland. During all that time you have applied yourselves, according to the intelligence and means of successive generations, to forward primary education in this country. When did you begin in Ireland? Until the last generation you left it in the hands of the priest and of the hedge-row pedagogue. Then you established a system of primary education, the design of which was to extirpate the nationality and uproot the faith of the people. Reference has been made by the Mover of the Motion to the designs of primary education as stated by Dr. Whately. Dr. Whately was one of the Commissioners of National Education. His words have not been quoted. I can quote them. He said—

“The main objects of your primary system to wean the Irish people from the errors of the Romish system and to undermine the vast fabric of the Romish faith.”

When the Irish priests came to learn, from the words of a Protestant Archbishop, that such had been the design of the system, it would not have been strange if they had not opposed themselves to it as a system which attacked vitally—I will not say their natural prejudices—but their religious faith and their natural sense of right, but I claim without the fear of denial that the success of primary education in Ireland is due to the ardent and continual co-operation of the priests. Without them your system would have failed; with them it has been a considerable success. One of the most astonishing facts in connection with this Motion is that during the twenty years that have elapsed since the Ballot Act was given, the proportion of illiteracy in Ireland has come to be vastly decreased. The Ballot Act was passed in 1870. If any hon. Member will take the trouble to examine the Census of 1871, and compare it with the Census of 1891, he will find that although this primary system of education has scarcely yet penetrated into some of the backward and Irish speaking districts of the country, although the National Board of Education has refused to adopt the intelligent bilingual method of teaching the

English language, yet he will find that upon the whole illiteracy in Ireland since the Ballot Act was passed has decreased about one-third. Now, what is to be said of the intelligence of a graduate of the flower of English Universities who comes forward twenty years after this House deliberately passed the Ballot Act at a time when illiteracy in Ireland was known to be much more extensive than it is at the present moment, and who ignores the fact that illiteracy has decreased in such a proportion that in a few years there is reason to believe that it may be extinguished altogether? Why did he not recognise the force of events? It is apparent to anyone—I shall not say to an enlightened politician like the mover of this Motion—but I must say it is apparent to any man who in anything like a statesman-like spirit applies his mind to the case of Ireland, that this Parliament should rather rejoice that within a period of twenty years the proportion of illiteracy has so much decreased, and that the probability is that in the course of another decade it will have disappeared altogether.

MR. WEBSTER: I should like to know, if I am in order in asking the hon. Member, what number of illiterates there were in Ireland twenty years ago in proportion to the number at present?

MR. SEXTON: It does not take much experience to know that when an hon. Member, who after prolonged cogitation and who has had many months for consideration, brings forward a Motion in this House the onus of producing relevant facts in support of it is thrown upon him and not upon me. Perhaps the First Lord of the Treasury may consider that excusable, as he is himself an adept at introducing relevant facts that are useful, and leaving out those that are inconvenient. Possibly he thinks the hon. Member has acted upon that principle.

An hon. MEMBER: Go to the Library.

MR. SEXTON: At any rate, if you examine the Census for 1871 and 1891 you will find that the decrease, and the disappearance in some cases, of illiteracy is universal throughout Ireland, and that the change from illite-

racy to literacy has been more extensive in the course of the last twenty years than in any previous years. Therefore the hon. Gentleman has committed a high Parliamentary crime in ignoring the cardinal facts of the case, because the whole course of education for the last twenty years entitles the House to rejoice at the experiment made in 1870, and to conclude that in the course of a very few years more every man will be able to cast his vote in Ireland under circumstances which will cause no suspicion of undue influence. The people of Ireland are extremely poor. In such districts as Donegal the land system which you established and which enabled the landlords to strip the people bare, and leave them naked and hungry, obliged poor parents to take their children away from school almost before the years of infancy were passed in order to assist them in obtaining the means of living. The ignorance, such as it is, that exists in Ireland now is partly due to the grinding poverty which was the result of your political policy—a political policy which only in the present day we have been able to modify—and partly due to the fact that the system of education in Ireland was not a system in accord with the principles or sympathies of the people; and I respectfully submit that if the question of illiteracy was to be taken into consideration, you ought to regard it rather in a spirit of sadness and of shame than in a spirit of mockery, rather as the fault of your own unwise—I will not say of your own criminal—policy than as any inclination of the Irish people towards ignorance. The way to cure such illiteracy as remains is not to deprive the poor illiterate peasant of the means of recording his vote; but to so reform the system of primary education as to make it accord with the sentiments and feelings of the people of Ireland.

(11.3) MR. DE LISLE: The hon. Gentleman who has just spoken did me the honour to lose his temper, and launch a personal attack upon me for what he was pleased to call "mocking jeers." I have read of persons who imagined that they had seen blue devils peeping

round corners, and that they had shrieked at those blue devils. I leave it to the judgment of the House whether I am the blue devil the hon. Member sees in this House, or whether my existence was not objective, and rather due to his own diseased imagination. But I did give utterance to an expression which may have been thought to have been a mocking jeer, but it was not intended in the sense in which it was understood by the hon. Gentleman. My hon. Friend on the other side of the House threw, as it appeared to me, in the teeth of the poor Catholics of Ireland that they had not made that progress under the system of national education for some years which we in England had made under happier circumstances, and if I did give utterance to any sign it was intended to be dissent from the opinion that the national system of education which has been instituted in Ireland is a system which could be cordially and heartily supported by the Irish people. Irish Catholics naturally had demanded, still demand, and will demand Catholic education; and when the British State in its wisdom—I hope in a very few years—concedes to the Irish people the advantages which English Catholics enjoy, I have no doubt the Irish people will improve, and show that they are as intelligent, as quick in learning, and as anxious to reap the advantages of education as any section of the Queen's subjects.

MR. SEXTON: I entirely accept the statement of the hon. Gentleman, and express my regret.

MR. DE LISLE: The hon. Gentleman finds he has made a mistake for once in his life, and he will perhaps now feel that on many occasions when he has misjudged me he has done so because of his own ignorance. Now that I have been called to my legs I should like to say one word why I heartily support this Motion. I do not believe for a moment that one person in five of the Irish electorate is an illiterate voter. If they do give themselves out as illiterate voters I believe it is for a purpose. In my opinion, knowing the Irish people fairly well, or, at any rate, a considerable number of the Irish—because I have all my life

been accustomed to meet Irishmen, a great many Irishmen live in my own neighbourhood, and I have been to school with many—I believe there is no Irishman who could not be taught in two hours how to distinguish between two names printed upon a paper. I believe the passing of this measure, as I believe it will be passed—I commend it to the Government as a subject to deal with before the next election takes place which, by the way, I think ought not to take place before this time next year—will not disfranchise a single voter in Ireland, because the so-called illiterate voters have sufficient wit and sufficient understanding to learn to distinguish between two names printed on a piece of paper. Only one other word, and it is with respect to the statement made by my hon. Friend (Mr. T. W. Russell), in which he spoke about priests being recognised merely as simple citizens. Now my only wish, in the interests of good government, is that the Catholic priests were recognised as simple citizens, and had the full rights of citizenship. Anyone who knows my constituency is well aware that I have often said I thought one of the difficulties which arise in dealing with the Irish question is that the Catholic priests have not their full rights as citizens, and are not allowed to hold that position which they hold in this country; and one of the best things Her Majesty's Government could do would be to concede full rights of citizenship to Irish priests. I do not know whether right hon. Gentlemen on the Treasury Bench are aware that a Roman Catholic priest has not these full rights. He is debarred by his orders—the orders of the Church of Rome, which are recognised by Act of Parliament—from the honour and privilege of sitting in this House.

An hon. MEMBER: So are English clergymen.

MR. DE LISLE: But his order is not represented in the other House. Now, as has just been said, English clergymen are debarred from sitting in this House, but their order is represented in the other House, and they are consequently brought into touch

with the Constitution. My only wish is that the Roman Catholic priests might enjoy the full rights of English citizenship, and be brought into close touch with the Constitution; and I believe that if they were, in a few years the Conservative and Unionist Party would receive their support, for they would see that the only way to prevent such ebullitions of feeling as we have seen to-night is the maintenance of the fair, just, and honourable rule of one united Parliament for the whole of the United Kingdom.

(11.11) MR. ROBY (Lancashire, S.E., Eccles): The terms of the Motion, as the hon. Member for Tyrone (Mr. T. W. Russell) has said, do not apply specifically to Ireland, but are applicable to the whole of the voters in the United Kingdom, and they point to the necessity of preserving the principle of freedom of election. I entirely agree with the object of the Motion in that respect, and the question that I have to ask myself is whether a simple repealing of the illiterate voters' clause is a proper remedy for any defect there may be in ensuring that freedom of election. I do not know that it has been noticed—certainly it has not been by those who have spoken since I entered the House—that this question of the illiterates is really a consequence of the particular mode of taking the vote which is prescribed in the Ballot Act. If a mode had been prescribed similar to what is usual in many other places where the ballot prevails, there would not have been any question about illiteracy. A simple direction to put a ball into the right box for one candidate and another into the left box for the other would, under the present system of single-member constituencies, be almost enough for the purpose. Now, if it be really necessary for the purpose of securing freedom of election that the present rules with regard to illiterate voters should be done away with, then I should be quite willing to join with the hon. Member, but at the same time I should wish to substitute another mode of giving effect to this desire. I am, happily, not in the position of some persons who think they have to defend or to attack either

*Mr. De Lisle*



Roman Catholic or English clergymen. I cannot agree with the hon. Member for West Belfast that English clergymen often act corruptly. I do not think that that is the case. Nor, on the other hand, can I withhold at any time it may be necessary or advisable my testimony to the conduct of Roman Catholic clergymen in Ireland, who in a very difficult position have to a very large extent been the supporters, helps, and guides of their people. But if it be found that the presence of clergymen, whether of the Roman Catholic or any other denomination, is fatal to due freedom of election, then that freedom ought to be secured by direct disqualification inserted in the Act. In that case, you must go a great deal further, and disqualify, as personating agents, the recognised agents of landowners and influential persons who know large numbers of the lower classes. Yet I do not think that any disqualification can be wisely or effectually adopted. If you are to secure freedom of election, and you wish, on that account, to do away with illiterate voters, then substitute a different mode of taking the poll, for I think that to disqualify all those who cannot or will not, from a fear of showing their poor scholarship, attempt to write or are unable to trace a word on paper, would be to disqualify a portion of the constituency, which is undoubtedly suffering under a great disadvantage, but which ought not to be disfranchised. In my view, what we ought to do with every question in regard to the franchise is to get every force that exists among the people of England within the electoral roll. What we want is that all those who have opinions, who are exercising their influence upon, and have any weight with, their fellows, should have the opportunity of voting directly, and not of using indirect means—that they should give their votes in the polling-booth, and not be driven to make their voices heard in mobs or assemblies. On that account I should be most unwilling to disfranchise even the illiterate voters. But I go a little further. I decline altogether to admit that the absence of facility in reading or in writing is

the right criterion to take as regards whether a person is fit to exercise the vote or not. I have met—I should think most Members have met—very many persons who always say they are no scholars, and consequently are afraid to write, who find some difficulty in reading, and yet who are men of shrewd sense, and quite competent to exercise their voices in their vote. I do not believe—I do not know there was ever a time when I did believe—that the franchise could be based in any sense upon education. I am quite certain that you do not get greater intelligence in politics by having specific forms of distinct education. What you do want is that the voters should be alive to what is going on around them—that they should take an interest in their fellows; that they should take over the difficulties that are met with; that if they cannot read they should attend and hear what is said—hear both sides, hear all sides. I think nothing can be more important for us than that all those who have influence should exercise that influence under the lines and in the cause of the Constitution; and it is our duty as legislators, if the present mode of exercising their vote infringes on the due freedom of election, to take other measures for that purpose. I shall vote against the Resolution.

(11.19.) THE FIRST LORD OF THE TREASURY (Mr. A. J. BALFOUR, Manchester, E.): Let me preface the very few words I have to say upon the Amendment which is before us by pointing out that we have not now to discuss a disfranchising measure. If I understand the contention of my hon. friend rightly, he does not in the least desire to disfranchise anybody. He does not intend to impose upon any particular class any special disqualification. All he desires to do is to remove from one class a special privilege to which he thinks they have no right. And, in the second place, let me point out that it is not a controversy, as some speeches that have been made would almost suggest, between the priests on the one side and the parsons on the other. The hon. Member for West Belfast, who, earlier in the debate, made one of

his eloquent and spirited speeches, delivered himself of an invective against the clergy of the Church of England, whom he contrasted in a most unfavourable sense with the Roman Catholic priests of Ireland. I utterly fail to gather on what that comparison is based. I have, as the hon. Gentleman knows, never levelled any attack against the Irish priesthood as a class; but, at the same time, I must confess that no facts have been brought to my notice which would lead me to believe that in any public appointment requiring the display of any great quality, the class which the hon. Gentleman has taken under his special protection has any preferential claim as compared with the class which he has made the object of his attacks. The real question the House has to consider is not a question of disfranchising or enfranchising, but a question of how far we are to carry out the principles of the Ballot Act, and how far public policy requires us to remove a privilege which the Ballot Act conferred on certain classes of the community. The hon. Member for the Harbour Division of Dublin—a gentleman quite as well acquainted with the Roman Catholic constituencies of Ireland as even the hon. Member for West Belfast can profess to be—stated that the number of persons who claim to be illiterates is far in excess of the number who actually are illiterates. If that statement be true, it is evident that in Ireland, at all events, the provisions of the Ballot Act are deliberately abused. However, I think the question of principle, apart from all special Acts of Parliament, is one of even greater importance, and the question the House has to determine by this Resolution is, “Ought we, or ought we not, to give special privileges to people who, in spite of all the advantages in the way of primary education which have been conferred by Parliament upon the people of England, Ireland, and Scotland during the last two or three generations, are unable to put a cross opposite the name of the candidate whom they favour? The hon. Member for West Belfast appealed to me as to whether I did not think that a person who can neither read nor write might not, nevertheless, be as shrewd a judge of

his own private interests and of any public interest as a person who has profited to the utmost by education? I admit he might be. I think that may happen, and I go much farther, and say that before the advantages of education were as widespread as they are now you would constantly find among the working classes of the population large numbers of persons who, though they could neither read nor write, showed as great a capacity for business and for deciding public questions as anybody, be their education what it might be. But circumstances have greatly changed since the Education Act was introduced. You will no longer find that the largest class of the population are unable to read and write. That state of things has gone, and under the operation of our Education Acts has, I believe, gone for ever; and now the class of the population who can neither read or write is certainly far from being that from which we should choose those we wish to conduct our private business and to direct our public affairs. The hon. Gentleman has pointed to the constituency of Donegal, where, I understand, a greater number of illiterates exist than in any other constituency in the three Kingdoms, and he has said that that constituency—I will not say is specially marked by its intelligence—but, at all events, shows great ability. We have no evidence of the special intelligence of any constituency, except so far as we are able to judge of it from the Gentlemen who sit in this House; and, judged by that test, I am far from complaining of the constituency which gives us the benefit of the eloquence of the hon. Gentleman who took part in this Debate earlier in the evening. At the same time, I must recall to the recollection of the House that, if we study statistics in this matter, among the population who cannot read nor write we find the greatest number of recruits to the criminal classes of the country. I have not the figures by me, but I should say that half the criminal classes in Ireland are unable to read and write. If you carry the investigation a little further, and study the proportion of children sent to industrial schools between the ages of six and fourteen, you will find an enormous

proportion—I think I should not be wrong in saying three-fourths — are unable to read and write. That is a conclusive proof, I think, that this particular class is not a class upon which this House ought to desire to confer special privileges.

AN hon. MEMBER: Apply the argument to England?

MR. A. J. BALFOUR: I am quite willing to apply it to England. I have only dealt with Ireland because the last two or three speeches have been specially addressed to the Irish side of the question; but, so far as I support this Motion, I do not do so specially with a view to Irish questions, but with a view to every constituency in the three Kingdoms. Therefore I think we should feel that it would be impossible for us to touch again the question of the franchise without dealing with this subject in accordance with the principles laid down by my hon. Friend. My hon. Friend is, of course, aware that even if the House assents to this Motion—as I hope it will—it will be impossible in this Session of Parliament, or for many Sessions of Parliament, probably, to introduce a Bill embodying in any practical shape the views which he has laid before us. Nevertheless, I think it would be well that we should record our deliberate opinion that if and when this House again takes in hand the consideration of what constituencies shall return the Members responsible for the Government of this country this, at all events, will be one of the questions which they will not be able to leave on one side; and it is because I hold that view, and hold it strongly, and because the Government of which I am a Member have shown their earnestness in this direction by introducing clauses in conformity with the views of my hon. Friend in the Local Government Bill for Ireland—of which we shall hear a great deal more next week—that I shall follow my hon. Friend if he proceeds to a Division, it being, of course, distinctly understood that we do not think it possible—indeed, it would be absurd to suppose so—that any Reform Bill embodying my hon. Friend's views can be introduced in the course of this Session, and that we commit ourselves only to the general proposition that when

Parliament, in its wisdom, thinks fit to revise the principle upon which our electoral system is based, this will not be the least among the many important questions that will then come up for discussion, and have to be decided, and finally decided, I trust, in the sense of the Resolution of my hon. Friend.

(11.35.) MR. JOHN O'CONNOR (Tipperary, S.): The right hon. Gentleman, with that cleverness which is perhaps worthy of his palmiest days of discussion in this House, has drawn from an apparent conflict of opinion between the hon. Member for Belfast and the hon. Member for the Harbour Division of Dublin an argument in support of his views. He endeavoured to show the House that there is a difference of opinion between those hon. Gentlemen, when there is absolutely none at all. My hon. Friend the Member for the Harbour Division, in alluding to the alleged illiteracy of the Donegal people, was simply repelling the idea that the voters there are as ignorant as many persons in this House believe them to be. The right hon. Gentleman has said that in Ireland the largest proportion of the criminal classes are to be found amongst the illiterates. It follows logically from that argument that the largest proportion of the criminal classes in England are also illiterate. Then does the right hon. Gentleman propose to disfranchise the classes in England that are illiterate? No, he does not. The practical effect of the Resolution before the House, if it were carried out, would be to disfranchise a great many persons in Ireland who, notwithstanding their illiteracy, ought not to be deprived of a right, for a defect in regard to education, for which they are not themselves entirely responsible. The primary object of the Motion, indeed, is to deprive the large portion of the Irish people of the vote, and that this is so is attested by the fact that few or no arguments have been addressed to the House during the Debate except such as have been drawn from the state of Ireland. The hon. Member who moved the Resolution said the largest number of illiterates was to be found in the Irish constituencies that supported

Home Rule, and he drew the inference that these men supported Home Rule because they were so illiterate.

MR. WEBSTER: Excuse me; I simply stated the fact. I did not draw any conclusion at all.

MR. JOHN O'CONNOR: I could draw no other inference from the fact than that it was the desire of the hon. Member, in introducing the Motion, to disfranchise or weaken the vote that was cast in Ireland for Home Rule. Why does not the hon. Gentleman go further and propose to disfranchise all constituents in Ireland who are in favour of Home Rule? That is the logical conclusion of his proposition. I suppose that those whom the hon. Member represents in St. Pancras are all learned men; but he will allow that Home Rule also exists in St. Pancras. If the hon. Member carried his argument to its logical conclusion he would bring forward a Motion to confer Home Rule upon Ireland, when, of course, learning and Conservatism would follow and Members from Ireland would sit on his side of the House. Certain it is that the people of Ireland are not Home Rulers because they are illiterate, but they are illiterate, to some extent, because they have not Home Rule. A good deal has been said about the action of the priests in Ireland in regard to the votes of illiterate persons, and it has been complained by hon. Members on the other side of the House that priests have exercised a certain amount of influence in elections. But who is to blame for the possession of that influence? Hon. Gentlemen have themselves to blame, if blame attaches, for the influence the priests possess. They are responsible, for they have neglected their duties to the people which the priests have performed. They have exercised the rights of property without performing any of its duties; they have allowed the priests to become the only educated class in Ireland who have stood up for the rights of the Irish people. To whom should the Irish people look for advice and counsel in political matters? It is only natural they should turn to those who in the past have stood by the people for the protection of rights attacked

and confiscated by predecessors of hon. Gentlemen who sit on the other side of the House. I am one of those who have protested against the exercise of any undue influence on the part of clerics in politics. I am prepared to give the clergy all rights of citizenship and no more. I object to their being allowed to be present in polling-booths to exercise undue influence over voters, but I would allow the clergy of any Church to have the full right of citizenship by vote, and such influence as position and education should have. I draw a line at the polling-booth. That there may be danger of undue influence there I admit. But I would prefer the influence of the priests in politics to the disfranchisement contemplated by this Motion. Reproach has been cast upon the Irish people that they are not better educated; that they have not made better use of the system of national education in years past, and when one of my hon. Friends alluded to the neglect of Irish education in the past he was met with the derisive remark, "Are the old, the ignorant, and illiterate class who voted in old times still alive?" No, they are not, but it is not all at once you can get rid of the evil effects which grew up through centuries. The blight, the incubus of enforced ignorance cannot be removed in a generation or two. But the argument has been used on the other side of the House, and has found support on this, that illiteracy is going to remain in perpetuity in Ireland. My hon. Friend (Mr. Sexton) has shown clearly that illiteracy among the Irish voters has declined enormously in the past twenty years, that it continues to decline, and we may look forward with hope to its entire disappearance in a short time. In considering this question the hon. Gentleman should have thought of some other method of removing this blot on our system of voting. The best way to meet the difficulty is to educate the class from whom come the illiterate voters, and to facilitate the passing into law of the Bill which is now before the House to give to the people of Ireland the full benefit of that principle of general education which has been productive of such good results in this country, and which, if extended to Ireland, would

*Mr. John O'Connor*



for ever remove the necessity for discussing here such a Motion as this.

(12.48.) MR. MARJORIBANKS (Berwickshire): The state of the Benches near me indicates how little importance is attached to this discussion—what little reality there is in the Motion which has been brought forward.

MR. WEBSTER rose in his place, and claimed to move, "That the Question be now put;" but Mr. SPEAKER said there yet remained time for discussion, and declined then to put that Question.

Debate resumed.

MR. MARJORIBANKS: I will not delay the House for long. The unreality of the Motion is proved by the argument brought forward in its support, because hon. Members have relied on the fact that after all, if the Motion were carried into law, it would not disfranchise any large number of people, for these people would be able to fill up their papers even if they were denied the privileges allowed under the Ballot Act. It seems to me, if you propose a disfranchising Motion and support it by saying it will not have a disfranchising effect, you cut away the ground from your own feet. I was quite prepared to believe that very few voters would be disfranchised by the Motion; but so far as it has any reality at all it is a disfranchising Motion. ("No, no!") It is not? Why, the whole argument is that voters who are unable to fill up their papers shall have the privilege of having their papers filled up for them taken away. Now, we know that hon. Members on the other side believe that the smaller the register the better is their electoral chance, and so we have this method proposed of reducing the register. But the right hon. Gentleman the Leader of the House is far too clever to go before the country with a Disfranchisement Bill. He says he looks on the Motion with a considerable amount of favour; it is a good idea, but that it is impossible to give effect to it in this Parliament, or for a future Parliament for many years to come to give effect to the ideas of the hon. Member. The right hon. Gentleman

sees that if the Motion were carried into law he would in the course of a few months go before the country having disfranchised a considerable section of the people. All I can say from our point of view on this side of the House is, if hon. Members like to identify themselves with a Disfranchisement Motion, we do not object, and shall be only too glad to see them bring forward a Bill to give effect to their Motion, and go to the country a few months hence with the reputation of having disfranchised 150,000 of the population.

Question put, "That the words proposed to be left out stand part of the Question."

(11.50.) The House divided:—Ayes 55; Noes 116.—(Div. List, No. 129.)

Question proposed, "That those words be there added."

It being after Midnight, Mr. SPEAKER proceeded to interrupt the Business—

(12.5.) Whereupon Mr. WEBSTER rose in his place, and claimed to move, "That the Question be now put."

Question put, "That the Question be now put."

(12.5.) The House divided:—Ayes 118; Noes 52.—(Div. List, No. 130.)

Question put accordingly, "That those words be there added."

(12.15.) The House divided:—Ayes 117; Noes 51.—(Div. List, No. 131.)

Words added.

Mr. WEBSTER claimed that the Main Question, as amended, be now put.

Main Question, as amended, put accordingly.

(12.25.) The House divided:—Ayes 115; Noes 50.—(Div. List, No. 132.)

Resolved, That, in the opinion of this House, in the interests of true freedom of election, the clauses in the Ballot Act which permit the Illiterate Vote should be repealed.

SUPPLY.—Committee upon Monday next.

ELECTRIC LIGHTING PROVISIONAL ORDERS (No. 2) BILL.—(No. 272.)

Read the third time, and passed.

**PUBLIC HEALTH (SCOTLAND) PROVISIONAL ORDER [MILNATHORT WATER] BILL.—(No. 280.)**

Read the third time, and passed.

**ELECTRIC LIGHTING PROVISIONAL ORDER (No. 1) BILL.—(No. 271.)**

As amended, considered; read the third time, and passed.

**ELECTRIC LIGHTING PROVISIONAL ORDERS (No. 3) BILL.—(No. 273.)**

As amended, considered; read the third time, and passed.

**LOCAL GOVERNMENT PROVISIONAL ORDERS (No. 6) BILL.—(No. 307.)**

Read a second time, and committed.

**CHARITY INQUIRIES BILL.—(No. 278.)**

Considered in Committee, and reported, without Amendment; read the third time, and passed.

**PARLIAMENTARY FRANCHISE (EXTENSION TO WOMEN) (No. ) BILL.—(No. 37.)**

Order for Second Reading upon Wednesday 18th May read, and discharged.

Bill withdrawn.

**EAST INDIA (FINANCIAL STATEMENT)**

Address for "Copy of the East Indian Financial Statement for 1892-3."—(*Sir Richard Temple.*)

**MOTIONS.**

**WITNESSES' (ROYAL COMMISSIONS AND PARLIAMENT) PROTECTION BILL.—(No. 287.)**

Ordered, That the Committee on Witnesses' (Royal Commissions and Parliament) Protection Bill do consist of eighteen Members.

The Committee was accordingly nominated of,—Mr. William Abraham (Limerick), Mr. Austen Chamberlain, Mr. Cremer, Mr. Darling, Sir Archibald Orr Ewing, Mr. Fenwick, Mr. Fisher, Mr. Hobhouse, Mr. Joicey, Mr. Attorney General for Ireland, Sir John Mowbray, Mr. Robert Reid, Sir Charles Russell, Mr. Abel Smith, Mr. Solicitor General, Mr. Warmington, Mr. Whitbread, and Mr. Yerburgh.

Ordered, That the Committee have power to send for persons, papers, and records.

Ordered, That Five be the quorum.—(*Mr. Akers-Douglas.*)

**LOCAL GOVERNMENT PROVISIONAL ORDERS (NO. 10) BILL.**

On Motion of Mr. Long, Bill to confirm certain Provisional Orders of the Local Government Board relating to the Boroughs of Cheltenham, Halifax, and Hertford, ordered to be brought in by Mr. Long and Mr. Ritchie.

Bill presented, and read first time. [Bill 345.]

**LOCAL GOVERNMENT PROVISIONAL ORDERS (NO. 11) BILL.**

On Motion of Mr. Long, Bill to confirm certain Provisional Orders of the Local Government Board relating to the Boroughs of Crewe, Falmouth, and Godalming, ordered to be brought in by Mr. Long and Mr. Ritchie.

Bill presented, and read first time. [Bill 346.]

**BRINE PUMPING (COMPENSATION FOR SUBSIDENCE) PROVISIONAL ORDER BILL.**

On Motion of Mr. Long, Bill to confirm a Provisional Order made by the Local Government Board for the formation of the Northwich and Winsford Compensation District, ordered to be brought in by Mr. Long and Mr. Ritchie.

Bill presented, and read first time. [Bill 347.]

**PUBLIC HEALTH (SCOTLAND) PROVISIONAL ORDER (BATHGATE WATER) BILL.**

On Motion of The Lord Advocate, Bill to confirm a Provisional Order, under "The Public Health (Scotland) Act, 1867," relating to Bathgate Water, ordered to be brought in by The Lord Advocate and The Solicitor General for Scotland.

Bill presented, and read first time. [Bill 348.]

**SECRETARIES OF STATE (SEATS IN THE HOUSE OF COMMONS) BILL.**

On Motion of Mr. E. Robertson, Bill to enable all the principal Secretaries of State and Under Secretaries to sit in the House of Commons, ordered to be brought in by Mr. E. Robertson, Mr. Shaw Lefevre, Mr. Picton, and Sir Wilfrid Lawson.

Bill presented, and read first time. [Bill 349.]

**GALWAY INFIRMARY BILL.**

On Motion of Mr. Jackson, Bill to provide for the re-constitution of the Galway Infirmary; and for other purposes connected therewith, ordered to be brought in by Mr. Jackson and The Attorney General for Ireland.

Bill presented, and read first time. [Bill 350.]

**ALLOTMENTS (SCOTLAND) BILL.**

On Motion of the Lord Advocate, Bill to facilitate the provision of Allotments for the Labouring Classes in Scotland, ordered to be brought in by The Lord Advocate, The Solicitor General for Scotland, and Mr. Ritchie.

Bill presented, and read first time. [Bill 351.]

House adjourned at twenty-five minutes before One o'clock.

## HOUSE OF LORDS,

*Monday, 16th May, 1892.*

## ELEMENTARY EDUCATION (BLIND AND DEAF) BILL [H.L.]

A Bill to make better provision for the elementary education of blind and deaf children in England and Wales—Was presented by the Lord President (*V. Cranbrook*); read 1<sup>a</sup>; to be printed; and to be read 2<sup>a</sup> on Thursday next. (No. 112.)

## SALE OF GOODS BILL [H.L.]

Report of Amendments to be received To-morrow.

## PIER AND HARBOUR PROVISIONAL ORDERS (No. 1) BILL.

Read 2<sup>a</sup> (according to order), and committed to a Committee of the Whole House to-morrow.

## WATER COMPANIES (REGULATION OF POWERS) BILL [H.L.]

## SECOND READING.

Order of the Day for the Second Reading, read.

\*THE EARL OF CAMPERDOWN: My Lords, this Bill, to which I now ask your Lordships to give a Second Reading, is, with the exception of one or two particulars to which I will call attention in a moment, identical with a Bill which passed through this House in 1885, and which, while it was in this House, was considered in its details by a Select Committee. My Lords, this Bill has two main objects; it imposes upon all Water Companies who supply water for profit an obligation to send to every consumer a demand note containing the particulars of charge, and it also requires all Water Companies, when a dispute arises between them and any consumer of their water, to abstain from cutting off until a decision of a Court of Summary Jurisdiction has been obtained. In order that I may make clear to your Lordships the reasons for this Bill I may remind your Lordships of what the law is with regard to all Water Companies. At the present time on the first day of the quarter every consumer of water is required to tender to

the office of the Water Company a quarter's payment of his water rate in advance, and he is also supposed by the law of England to know what the amount of his debt to the Water Company is; there is no obligation upon the Water Company to give any particulars of charge, and if on the first day of the quarter the consumer has not tendered to the Water Company the correct quarter's rate in advance, the Company are empowered and have the absolute right the very next day to cut off the supply of water. Under these circumstances, my Lords, it would be very strange if a good many abuses had not arisen, and this has been the case as some years ago I proved before the Select Committee. My Lords, this Bill passed through this House in 1885, but it was afterwards lost owing to want of time in the other House of Parliament, although certain portions of it were passed into law by Mr. Forrest Fulton two years later. I am now going to ask your Lordships again to pass the Bill, and I still have some hopes that there is time for it to become law. I believe it will be very useful if Parliament shall be able to pass it. I will now call your Lordships' attention in a very few words to the contents of the Bill. Under Clause 4 the Company is required to send to the consumer a demand note containing particulars of charge, and those particulars are to be furnished at various dates, which are more or less frequent as the house is a larger or a smaller house. The next point is that the consumer is allowed twenty-one days within which to consider the charges which are made, and, if during that time he thinks that any of those charges are open to dispute, he is allowed to dispute them; but at the same time he is obliged by the Bill to send in the particulars to which he objects, and the charge which he thinks ought to be made in lieu of the charge which is actually made. Then, in these cases of dispute, the Company are not allowed, as they are now, to settle the matter by cutting off the supply, but must bring the consumer before a Court of Summary Jurisdiction; and when the dispute is decided, if it is decided in favour of the Company, the Company may issue a notice that they will cut off the supply, which notice

must run 14 days. In the same way in cases where no dispute has arisen the companies are allowed to at once issue a notice of their intention to cut off, which notice likewise has to run 14 days; and, if within those 14 days the bill has not been paid, then it is allowable for the Company to cut off the supply. I think those are the main provisions of the Bill. There are certain other minor provisions to which perhaps I may call attention in Committee, but which are devised quite as much in the interests of the companies as in those of the consumers. I ought perhaps to call attention to Clause 13 which defines the extent of the Act. Clause 13 states that this Act shall apply to where water is supplied for domestic purposes, and also to such cases where it is supplied partly for trade business or manufacture and partly for domestic purposes, if the amount in respect of domestic purposes is greater than the amount of the water rate for the other purposes. That last reservation is to meet a particular case. There are I understand a great many small shops where the shopkeeper lives above his shop, and it would be highly inconvenient if the house portion of the shop were to be subject to the Bill, and if the shop below were not so; but your Lordships will see that if the charge for the trade purposes be larger than the supply for domestic purposes, then the Bill is not to apply. That is the chief point of difference between this Bill and the Bill of 1885. I now ask your Lordships to give the Bill a Second Reading.

Moved, "That this Bill be now read 2<sup>a</sup>."—(*The Earl of Camperdown*.)

THE SECRETARY OF STATE FOR THE COLONIES (Lord Knutsford): Might I ask the noble Earl what are the other points of difference?

\*THE EARL OF CAMPERDOWN: Under Clause 11, which is a new clause, when a Water Company cuts off the supply, the Company is to be required to give the Sanitary Authority notice that it is cut off—that is in accordance with the general law. There are other changes in drafting, but I am not aware of any other change in substance.

Motion agreed to: Bill read 2<sup>a</sup> accordingly, and committed to a Com-

*Earl of Camperdown*

mittee of the whole House on Friday next.

#### SUNDERLAND'S CHARITY BILL.

House in Committee (according to Order); Bill reported without amendment; Standing Committee negatived; and Bill to be read 3<sup>a</sup> on Thursday next.

#### WEIGHTS AND MEASURES (PURCHASE) BILL.

House in Committee (according to Order); Bill reported without amendment; Standing Committee negatived; and Bill to be read 3<sup>a</sup> To-morrow.

#### CHARITY INQUIRIES BILL.

Brought from the Commons; read 1<sup>a</sup>, and to be printed. (No. 113.)

House adjourned at a quarter before Five o'clock.

### HOUSE OF COMMONS,

*Monday, 16th May, 1892.*

#### PRIVATE BUSINESS.

#### ALEXANDRA PALACE AND GROUNDS BILL.

##### SECOND READING.

Order for Second Reading read.

Motion made, and Question proposed, "That the Bill be now read a second time."

MR. SHAW LEFEVRE (Bradford, Central): I have opposed the Bill brought in by the Alexandra Palace Company on previous occasions, on the ground that they proposed to relieve themselves from the obligation not to build on the park, and I should oppose this Bill because it contains a clause in the same direction, but that I understand the promoters of the Bill propose to modify the clause to meet objections, and I, therefore, do not oppose this stage of the Bill. I further understand that the Company are negotiating with the London County Council for the purchase of the park.



MR. JOSEPH HOWARD (Middlesex, Tottenham): Yes, that is so.

Motion agreed to.

Bill read a second time, and committed.

## LONDON COUNTY COUNCIL MONEY BILL.

### SECOND READING.

Order for Second Reading read.

\*(3.10.) SIR J. LUBBOCK (London University): As this Bill constitutes a new departure, perhaps the House will expect me to say a few words in explanation on moving the Second Reading. The House has imposed on the London County Council, and the London County Council alone, the obligation of introducing an annual Money Bill, and we considered that under the circumstances we might fairly ask Her Majesty's Government to take charge of the measure. Up to last year the Bill was introduced by the Government, but, the Government having declined to undertake the duty any longer, I now have to move the Second Reading. I have no desire to go back on the question which was debated at length last year, and merely mention it now in explanation. The powers of the Metropolitan Board of Works to borrow were derived from various Acts, which powers have passed to the London County Council, together with the powers conferred by the Local Government Act, 1888. The series of Acts relating to the finances of the Metropolitan Board of Works began in 1869, the Act of that year containing the original provisions authorising the issue of Metropolitan Consolidated Stock. Further Acts were passed in 1870, 1871, and 1875, and since 1875 Acts have been passed annually. Since that date it has been arranged that the actual power of raising money shall be limited year by year to the requirements of the year; and Bills conferring the powers assumed to be needful have been introduced annually as Public Bills on the responsibility of the Treas-

ury, and have been passed into law. The form of these Acts has differed almost every year, as experience from time to time has shown some alteration in the system of accounts to be desirable. In many of these Acts clauses have thus been introduced relating not only to money powers conferred on the Council or their predecessors during the particular year, but which have altered the general enactments in force under previous Acts. In the result there can be no doubt the series of Acts has reached an unsatisfactory condition, and the complications were made worse by the passing of the Local Government Act of 1888. That Act, while it purported to provide in general terms that the powers of borrowing and raising money should be exercised by the Council in accordance with the Acts relating to the Metropolitan Board of Works, introduced several alterations and contained sundry provisions with reference to the financial powers of the Council, which were inconsistent with the Acts of the Metropolitan Board. This state of things led to a good deal of criticism from time to time in both Houses of Parliament, it being justly observed that it was practically impossible for anybody to understand from the Bills as annually presented, and the current series of Acts, what powers the Council possessed, or how far those powers were being exercised in accordance with the law. Under these circumstances, it has been thought better to repeal the old Acts and place the law as it stands in a clear and intelligible form before Parliament. We do not wish to alter the law, but merely to place matters before the House in a way Members can understand, and this I hope has been done in a satisfactory manner; but of course we are ready to consider any suggestions that may be made in reference thereto. Passing now to the financial part of the Bill, the Bill confers borrowing powers on the London County Council to the extent of £5,800,000. At the present moment the amount of Metropolitan Consolidated Stock outstanding is £28,811,000, against which the amount standing to the credit of the Consolidated Loans Fund is £11,802,000. There are, however, some other debts and liabilities

imposed on the Council, transferred from the Metropolitan Board of Works, and in connection with arrangements made under Local Acts for the counties of Surrey and Middlesex, and the result is that the total liabilities of the London County Council amount to about £30,000,000, while, on the other hand, there are assets in the Consolidated Loan Fund to the amount of £13,000,000, the net liabilities being therefore £17,000,000. But although the Bill does sanction these large borrowing powers of the Council for the next eighteen months, the facts are not quite so serious as might, at first sight, appear. We are obliged to insert in the Bill the maximum amounts which may be required for each purpose. Of the total amount, the sum of £2,900,000 is a re-grant of amounts sanctioned in previous Acts, and, again, £2,200,000 is for loans to be made by the Council to other Metropolitan Authorities, £1,250,000 being new, and, of course, requiring the consent of Her Majesty's Government. The new borrowing powers created for the Council itself amount to £1,600,000. The principal amounts in the Bill are as follows:—Blackwall Tunnel, £750,000; Main Drainage, £600,000; various street improvements, £450,000; housing of the working classes, £420,000; expenditure in connection with lunatic asylums, £320,000; capital expenditure on parks under the control of the Council, £250,000; purchase of tramways, £200,000; for purposes of the Fire Brigade service, £100,000. These are the principal amounts, and I conclude the House will not wish me to go into details in reference to them, for they may be more conveniently discussed at a subsequent stage of the Bill. I do not know that there is any opposition to the Bill, and having stated briefly the circumstances under which the Bill has been introduced, I hope the House will now give it a Second Reading.

Motion made, and Question proposed, "That the Bill be now read a second time."—(Sir J. Lubbock.)

Motion agreed to.

Bill read a second time, and committed.

Sir J. Lubbock

## QUESTIONS.

### THE WRECK ON BRIGG'S REEF.

SIR E. BIRKBECK (Norfolk, E.): I beg to ask the President of the Board of Trade whether he is aware that the iron ss. *Emily* was wrecked on Brigg's Reef, off Groomsport, County Down, in 1889, and that, in the event of a wreck taking place on the same shoal, the local committee, the coxswains, and crew of the Groomsport Lifeboat consider the wreck of the *Emily* would be a source of great danger to the lifeboat's crew, especially at night; and whether, notwithstanding the fact that the Commissioners of Irish Lights do not consider the wreck dangerous for the lifeboat, he will give directions to have it forthwith removed; and, if not, whether he will state the grounds on which the Commissioners arrived at their decision?

\*THE PRESIDENT OF THE BOARD OF TRADE (Sir M. HICKS BEACH, Bristol, W.): Under the Acts for the removal of wrecks in the way of lifeboat service the Board of Trade can only deal with recommendations made by a general Lighthouse Authority. In the case referred to by my hon. Friend no such recommendation has been made to me, and the Commissioners of Irish Lights inform me that after consideration of a Report made by their Inspector of Lights, who had previously made a careful examination of the position of the *Emily*, they were led to the opinion that the wreck did not constitute a danger to the lifeboat service, the lifeboat station being three-quarters of a mile from the wreck, and it being therefore questionable whether it could be considered a hindrance or an obstacle to the launching of the lifeboat. The Commissioners say further that Brigg's Reef is marked by a first-class conical buoy, moored one-third of a cable from its northern extremity; and having regard to the great extent to which the reef is embayed, they consider there is only a very remote probability of another vessel becoming stranded on the same rock.

SIR E. BIRKBECK: May I ask the right hon. Gentleman whether he will have further inquiry made and ascertain

whether it is not a fact that the lifeboat crew could not go out to the relief of a vessel in distress at night on this reef in consequence of the extreme danger to the lifeboat from this wreck?

\*SIR M. HICKS BEACH: If that is a fact it should be brought before the Lighthouse Authorities. It is not my business to suggest expenditure in such matters—it is the duty of the Lighthouse Authorities.

#### INTOXICATING LIQUORS (LICENCES REFUSED) RETURN.

MR. JOHN ELLIS (Nottingham, Rushcliffe): I beg to ask the Secretary of State for the Home Department when the Return, ordered on 15th February, of Intoxicating Liquors (Licences Refused) will be presented and distributed?

THE UNDER SECRETARY OF STATE FOR THE HOME DEPARTMENT (Mr. STUART WORTLEY, Sheffield, Hallam) (who replied): There is a reasonably good prospect that this voluminous Return will be presented before Parliament re-assembles after the Whitsuntide Recess.

#### SHILLELAGH POOR LAW ELECTION.

MR. PATRICK O'BRIEN (Monaghan, N.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether it has come to the knowledge of the Local Government Board that in the last election of Guardians for the Shillelagh Union, eight votes tendered for a candidate named Terence Byrne were rejected by the Returning Officer; that some of the votes were rejected on the ground that they were the votes of illiterate voters, although they were duly marked with the authority of the voter, and in his presence, and bore the signatures of witnesses; and whether, in view of the fact that Mr. Byrne's opponent in the election, Mr. Casey, was declared elected by a majority of two votes, and that Mr. Byrne claims that, if the votes which were disallowed by the Returning Officer were given him, he would have had a majority of legal votes, the Local Government Board will cause an independent inquiry to

test the decision of the Returning Officer, and the claim of Mr. Byrne to have been duly elected?

\*THE CHIEF SECRETARY FOR IRELAND (Mr. JACKSON, Leeds, N.): The unsuccessful candidate for one of the divisions of the Union mentioned did forward a statement through his solicitor containing particulars of the votes claimed by him and objected to. The Local Government Board, after careful consideration of the explanations furnished by the Returning Officer, saw no reason to question the correctness of the return made by him for the division, and they therefore did not consider it necessary to put the division to the expense of a sworn inquiry in regard to the election.

#### JOHN M'GRATH'S PENSION.

MR. SEXTON (Belfast, W.) (for Mr. WILLIAM O'BRIEN, Cork, N.E.): I beg to ask the Financial Secretary to the War Office if his attention has been directed to the case of Mr. John M'Grath, formerly of the 1st Battalion 18th Royal Irish, who after serving twenty-one years and one hundred and ninety-four days, including the Russian and Indian Mutiny Campaigns, and receiving two good conduct badges, the Crimean medal with clasp for Sebastopol, and the Turkish medal, was discharged on the 25th April, 1876, on a pension of tenpence a day; and whether, having regard to the fact that M'Grath is now disabled by old age and want of employment from augmenting this small sum, and is disqualified for Chelsea Hospital by reason of his pension, and having regard to the effect of such cases in discouraging recruiting, means will be taken to give M'Grath some increase of pension in recognition of his long and gallant service?

THE FINANCIAL SECRETARY, WAR OFFICE (Mr. BRODRICK, Surrey, Guildford): John M'Grath since 1876 has been in receipt of the highest pension which could be awarded to him under the Royal Warrant. The possession of this does not disqualify him from admission to Chelsea or Kilmainham, and he would be almost certain to be admitted if he applied. I am afraid nothing can be done towards increasing the amount of the pension.

MR. SEXTON : He may be admitted if he applies ?

MR. BRODRICK : So far as I am aware, but of course it is a question for the Commissioners to decide.

#### POLICE AT IRISH NATIONAL FEDERATION MEETINGS.

MR. SEXTON (for Mr. WILLIAM O'BRIEN) : I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland is it true that at the last meeting of the Mallow Branch of the Irish National Federation the entrance door was watched by three policemen who took the names of members as they entered ; and, if so, by whom was this directed, and will it be continued ?

\*MR. JACKSON : The Constabulary Authorities report that the house where the meeting was held was in a public street in Mallow, where it is customary for police to be on patrol duty. The patrol at the time referred to consisted of two men. They in no way interfered with the meeting.

MR. SEXTON : Patrolling seems to indicate passing through the street. Why did the police consider it necessary to stand at the door ?

\*MR. JACKSON : I do not understand that the police did more than patrol duty.

MR. SEXTON : Will the right hon. Gentleman give instructions that the police shall avoid giving annoyance in so doing ?

\*MR. JACKSON : I do not understand that in this instance any annoyance was given.

#### THE FINANCIAL SECRETARY TO THE POST OFFICE.

MR. ESSLEMONT (Aberdeen, E.) : I beg to ask the Chancellor of the Exchequer if he can say what are the special duties of the Financial Secretary to the Post Office ; by what officer of the Treasury or of the Post Office those duties have been carried on for the past five years during the lengthened and frequent absences of the present holder of the office ; and whether the Treasury are satisfied as to the manner in which, during the period referred to, the functions pertaining to the office of Financial Secretary have been discharged ?

*Mr. Brodrick*

\*THE POSTMASTER GENERAL (Sir J. FERGUSSON, Manchester, N.E.) : The hon. Member will allow me to answer his question. The Financial Secretary to the Post Office is, as the title implies, the adviser of the Postmaster General on all financial questions. He is specially charged with the secretarial control of the Receiver and Accountant General's Department, and of the other account branches of the Post Office, including the Savings Bank. He is responsible for the preparation of the Estimates of both Revenue and Expenditure, and, as the "Accounting Officer" of the Department for the "Appropriation Accounts" rendered to the Comptroller and Auditor General. In the absence of the Financial Secretary, these duties were mainly undertaken by the Secretary to the Post Office, who had himself filled the office of Financial Secretary for the six years previous to the appointment of the present occupier of the post. The present Financial Secretary has only been absent from duty, except for his annual leave, for six months in the twelve years during which he has held the appointment—namely, two months in 1888 and four months in 1891-2. The latter period of leave, granted at my discretion, was highly desirable for the recovery of Mr. Turnor's health, and I have reason to believe that it has been effectual for that purpose. It may be added that during those twelve years the Financial Secretary has, generally speaking, undertaken the charge of the Department in the absence of the Secretary, whether on occasions of ordinary leave or of attendance at Postal Congresses abroad, some of the latter occasions being of a prolonged character. Since Mr. Turnor's accession to office the voted expenditure of the Postal and Telegraph Services has increased from £5,388,000 to £9,150,000, and the staff by 18,000. The Financial Secretary is the officer, not of the Treasury, but of the Postmaster General, and is responsible to him only for the proper discharge of his duties. It is believed that every Postmaster General who has preceded me during the period of Mr. Turnor's appointment has entertained a very high sense of the manner in which the important duties entrusted to him have been dis-



charged. I must express my regret that the hon. Member has by his question given currency to an imputation against a very useful public servant, for which there is no justification.

MR. ESSLEMONT: I beg to say that in consequence of this answer I shall feel it my duty to refer to the subject in Committee on the Estimates.

#### SUNDAY POSTAL LABOUR IN DUBLIN.

MR. PATRICK O'BRIEN: I beg to ask the Postmaster General whether he will again inquire if the hall porters in the General Post Office, Dublin, are paid at the same overtime rate for Sunday duty as the postmen, from which class they were promoted; why in view of the fact that the Treasury Minute, dated August, 1891, fixed a time and a quarter rate for Sunday duty for all other officers, is a different rule enforced against the hall porters; and will he see that they are paid at the regulation rate?

\*SIR J. FERGUSSON: The hall porters at Dublin are not paid at the same rate for Sunday duty as the postmen; their work is not similar, and a certain attendance on Sunday formed part of their engagement on weekly wages. The Treasury letter of 20th July, 1891, to which I presume the hon. Member refers, authorised extra payment for Sunday work to postmen only. There is no regulation for making a similar payment to hall porters.

MR. PATRICK O'BRIEN: Does the arrangement apply only to Dublin?

\*SIR J. FERGUSSON: Hall porters in London are on the same footing—two hours' attendance on Sundays is part of their duty.

#### SUNDAY CLOSING OF HOTELS IN SCOTLAND.

MR. BAIRD (Glasgow, Central): I beg to ask the Lord Advocate whether his attention has been called to the refusal of a hotel keeper in Dunfermline to admit to his hotel on Sunday, 1st May, two cyclists who arrived there from Glasgow; and whether Procurators Fiscal have any jurisdiction in such cases; and, if so, will he instruct them to exercise it?

\*THE LORD ADVOCATE (Sir C. J. PEARSON, Edinburgh and St. Andrew's Universities): I have inquired into this matter, and find that two cyclists arrived on the day in question at the Royal Hotel, Dunfermline, during church hours, when the proprietor and his wife were absent, and that they were refused admission. In cases of breach of certificate in burghs it is the duty of the Procurator Fiscal of the burgh to proceed against the offender. In this instance the prosecutor did not consider that the refusal to admit these persons justified him in taking any proceedings. Any complaint against this decision should be laid before the Magistrates. It is not a matter in which I have any power to interfere.

#### BAILIFFS AND FISHERMEN ON THE SHANNON.

MR. PATRICK O'BRIEN: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether his attention has been directed to the Press reports of an encounter between bailiffs and fishermen on the Shannon near Limerick, on the night of Sunday 8th instant, when two fishermen were seriously wounded by revolver shots alleged to have been fired by the chief bailiff and his assistants; whether any of the bailiffs have yet been placed under arrest, and whether the revolvers will be taken from these bailiffs, as was done in Cork recently; whether he is aware that the fishermen complain of the destruction of their nets, when fishing on their own waters, by the bailiffs' steam launch; and whether he will cause an inquiry to be held at once into the conduct of the chief bailiff and the state of the Limerick fisheries, as has repeatedly been requested by the fishermen?

\*MR. JACKSON: It appears that the Inspector of Bailiffs alleges that the shots were fired in self-defence and when his life was in danger. Legal proceedings, however, have been instituted in the matter, and the case will no doubt be fully investigated in a Court of Law.

MR. PATRICK O'BRIEN: Is it alleged that the fishermen carried revolvers? If not, how is it contended that the life of the bailiff was in danger?

\*MR. JACKSON: Life may be endangered from weapons other than revolvers.

MR. PATRICK O'BRIEN: Does the right hon. Gentleman encourage the use of revolvers as a means of self-defence?

\*MR. JACKSON: There is no desire to encourage the use of revolvers.

#### COMPULSORY FIRE ESCAPES.

MR. DIXON-HARTLAND (Middlesex, Uxbridge): I beg to ask the Secretary of State for the Home Department whether he is aware that, although the Factory and Workshops Act, 1891, came into operation on the 1st January last, the majority of factory proprietors and owners in London and the country are unaware of its existence; whether any steps will be taken, and when, to enforce the provision of means of escape in case of fire, as required by Section 7 of the Act (Clause 2); and whether, in view of the terrible loss of life through fire at Battersea, Fulham, Victoria, and this week at Scott's in the Haymarket, he will consider the advisability of making compulsory the providing of fire escapes of a simple yet safe nature at all hotels, restaurants, and other places where a large number of persons are employed?

THE SECRETARY OF STATE FOR THE HOME DEPARTMENT (Mr. MATTHEWS, Birmingham, E.): I cannot accept the statement that the majority of factory proprietors are unaware of the existence of the Factory and Workshops Act of last year. Abstracts of the Act were forwarded to every known occupier of a factory in the United Kingdom. In addition to this, the attention of every occupier was specially called to the chief alterations in the law by a circular letter signed by the Chief Inspector, and this circular was sent with each abstract. I may assure my hon. Friend that every care is and will be taken to secure the observance by factory occupiers of the provisions of Section 7 of the recent Act. I have already twice this Session answered the particular suggestion made in the third paragraph of the question.

MR. DIXON-HARTLAND: Is there any reason why a short amending Act should not be introduced? It is an important matter?

MR. MATTHEWS: I have no further answer.

#### "GROGGING" SPIRIT CASKS.

MR. CAMERON CORBETT (Glasgow, Tradeston): I beg to ask the Chancellor of the Exchequer whether the precautions which he has taken to prevent "grogging" in the case of home-sale casks can be extended to spirit casks imported from abroad?

\*THE CHANCELLOR OF THE EXCHEQUER (Mr. GOSCHEN, St. George's, Hanover Square): Casks of foreign spirits are treated under the "grogging" regulations in a similar manner to those containing British spirits. In the case of empty spirit casks imported from abroad, the wood of which may be saturated with spirits, steps are being taken to prevent loss to the Revenue or injury to the British spirit trade from the "grogging" of such casks. I am informed that the importation of empty spirit casks for the purpose of grogging does not prevail extensively at present.

#### ROTHESAY SCHOOL BOARD AND THE GOVERNMENT GRANT.

DR. CAMERON (Glasgow, College): I beg to ask the Lord Advocate whether his attention has been called to the fact that the education grant earned last year by the public schools under the Rothsay School Board, having again amounted to more than half the expenditure upon them, the School Board has again resolved, rather than forego the surplus, to increase their expenditure by dividing the balance as a bonus among the teachers; whether he is aware that the higher class schools under the control of the same Board are carried on at a loss; and whether in view of the increased surplus anticipated by the Board for the current year, and the desire expressed by the Government to promote secondary education in Scotland, it could be arranged that the surplus grant earned by the public schools should be applied in reduction of the loss on the higher class schools, instead of being expended on bonuses

devised for the avowed object of evading the restrictions imposed upon the payment of the grant?

\*SIR C. J. PEARSON: I am not aware of anything peculiar in the financial position of the two schools under the Rothesay School Board, and from the balance sheets for both the schools for the year ending 31st March, 1891, it appears that in the case of one, the Parliamentary grant was very considerably less, and in the case of the other slightly less, than half the expenditure. The Scotch Education Department has not yet received the accounts of either of the schools under the Rothesay School Board for the school year just ended. I understand that these are the only schools under the management of the School Board, which has no higher class under its management. Section 20 of the Education Act of 1876, which applies to Scotland, provides that the income of schools sharing in the Parliamentary grant "shall be applied only for the purpose of public elementary schools."

#### ASSISTANCE IN PROVINCIAL POST OFFICES.

MR. MAC NEILL (Donegal, S.): I beg to ask the Postmaster General whether the large sums allowed under the Votes to the postmasters of some of the provincial head post offices for the purpose of providing assistance in addition to the ordinary established staff are placed at the absolute disposal of the postmasters of the respective offices to which such allowance is made; and what account is rendered or what check exercised over the expenditure of this money?

\*SIR J. FERGUSON: The sums placed at the disposal of the postmasters individually are not large, being very rarely as much as £100 a year, and generally a good deal less than that amount. An account of the disposal of the money is rendered by postmasters to the surveyors of their districts.

#### DANGEROUS BATHING IN THE SHANNON.

MR. O'KEEFFE (Limerick City): I beg to ask the Financial Secretary to the War Office if, in view of the dan-

gerous condition of part of the southern foreshore of the River Shannon at the King's Island, near Limerick, held by the Military Authorities and used by the soldiers stationed in Limerick as a bathing place, he will direct that land posts or stockades be erected to warn persons of the treacherous state of the locality; whether, in addition to other fatal accidents, two soldiers of the Black Watch Regiment were drowned last summer at this spot; and whether the Corporation of Limerick have represented to the War Office the particular danger mentioned?

MR. BRODRICK: Two soldiers of the Black Watch were drowned last June at King's Island, where the Corporation of Limerick have established a bathing place by paying a nominal rent to the War Office, and it would appear desirable for the Corporation to take precautionary steps for the prevention of accidents. There is no record in the War Office of other fatal accidents, or of the representation referred to in the question.

MR. O'KEEFFE: Would the Corporation be debarred from taking steps to prevent accidents by reason of the land being the property of the War Department?

MR. BRODRICK: The Corporation may set up notices warning persons of the danger.

#### LISBURN WORKHOUSE.

MR. McCARTAN (Down, S.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether his attention has been called to a letter of 14th April last, addressed by the Assistant Secretary of the Local Government Board to the Chairman of the Lisburn Board of Guardians, from which it appears that the bread supplied to the poor people in the Workhouse was "sour and badly baked"; that the wards are not sufficiently heated; that there is no schoolmistress in the Workhouse; that the relieving officers do not visit and report monthly on the condition of orphan and deserted children boarded out; if the Clerk of the Union, who is nearly ninety years of age, and unfit to perform the duties of his office, should be retired; and whether he will

state what steps have been taken to redress these grievances?

\*MR. JACKSON: The Local Government Inspector called attention to the several matters referred to in the question, and his remarks were communicated to the Guardians on the 14th ultimo, and they, at a subsequent meeting, explained for the information of the Local Government Board that the quality of the bread now supplied to the Workhouse has improved; that the matter of the heating of the several wards properly has been attended to; that there are only a few girls in the school, and the Guardians are of opinion that they are properly cared for and attended to; and that the relieving officers do visit and report on the condition of the orphan and deserted children; and further that the duties of the Clerk, who has a competent assistant, are discharged to the entire satisfaction of the Board.

#### THE LAND COMMISSION IN ARMAGH.

MR. McCARTAN: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he will state how many fair rent applications, and also the number of applications under the Redemption of Rent (Ireland) Act, from County Armagh still remain undisposed of; and if he can mention the date and place fixed for the next sitting of the Sub-Commission in the County Armagh?

\*MR. JACKSON: The Land Commissioners report that there are at present three hundred and sixty-eight applications to fix fair rents undisposed of from the County of Armagh, twenty-eight of which are applications under the Redemption of Land (Ireland) Act, 1891. A Sub-Commission will, it is expected, commence its sittings in the Town of Armagh to hear cases from the Union of Armagh in July next, and will take up the hearing of cases from other Unions in their turn.

#### ARMY MESS-TIN CONTRACTORS AND UNION WAGES.

MR. SYDNEY BUXTON (Tower Hamlets, Poplar): I beg to ask the Financial Secretary to the War Office whether Messrs. Haynes and Co. have

*Mr. McCartan*

a contract for the War Office for mess-tins (1811); whether they are paying the men employed on the contract the recognised rate of wages prevailing in the trade for this work; and whether he will inquire into the matter?

MR. BRODRICK: The War Office has a contract with Messrs. Haynes for mess-tins, but no complaint of any kind has been received from their workpeople. When the firm tendered in November last they stated that the mess-tins would be made on the sectional system, for which there is not an accepted rate of wages; but they pledged themselves that their men took more money weekly by 10 to 15 per cent. than was earned by men making the same articles elsewhere, and they reported further that their men were perfectly satisfied. The Secretary of State does not consider that further inquiry is necessary.

MR. SYDNEY BUXTON: Will the hon. Gentleman say what was the date of that Report?

MR. BRODRICK: The letter is dated November last.

#### LAND PURCHASE ACT RETURNS.

MR. JOHN ELLIS: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland when the Returns required by Section 33 of the Purchase of Land (Ireland) Act, 1891, will be laid upon the Table and distributed?

THE SECRETARY TO THE TREASURY (Sir J. GORST, Chatham) (who replied): These Returns are nearly ready, and I hope they will be presented in the course of a few days.

MR. JOHN ELLIS: Is the right hon. Gentleman aware that they are six months beyond statutory date?

MR. JACKSON: I do not think that is so.

MR. SEXTON: Does the right hon. Gentleman propose to present the Returns before the Vote on Account is taken?

SIR J. GORST: I am not able to enter into any pledge on the subject.

MR. SEXTON: I shall object to proceeding with the Vote on Account in the absence of these Returns.



**MEDICAL WITNESSES—"QUEEN V. MONTAGU."**

MR. PINKERTON (Galway): I beg to ask the Attorney General for Ireland if he is aware that in the case of the "*Queen v. Montagu*," three medical men were summoned as witnesses who were ignorant of the entire circumstances of the case, unless by report; whether when one of them was put into the witness-box, the Judge would not allow him to be examined, and asked why he had been brought there; and if he can explain why these men were paid five guineas per day expenses, while the doctors brought from Coleraine, whose evidence was admissible, only received two guineas per day?

THE ATTORNEY GENERAL FOR IRELAND (Mr. MADDEN, Dublin University): It is a fact that three medical gentlemen were summoned to give evidence as experts. It is not the fact that the Judge asked why medical experts had been summoned as witnesses. He did remark that sufficient medical testimony had been given, and the evidence of the gentlemen referred to was not pressed. The three medical experts were gentlemen of eminence in their profession, and were paid special fees for a thorough examination of the whole case, and attending to give evidence at the trial. The fee appears to me to be a very moderate one.

**THE GLENTIES RAILWAY.**

MR. O'HANLON (Cavan, E.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland is he aware that all the men employed on the Glenties portion of the line have been thrown out of employment, and that at the present time their families are very much in need of food; what is the amount of the contract for completing the line, and how much of that sum has been handed over to the contractors; and what additional time has been given to the contractors; and will they get a further extension if they ask it?

SIR J. GORST (who replied): I am not aware of the circumstances alleged in the first paragraph. The amount of the contract, less rolling stock, is £98,335, and the amount paid to the contractors is £8,971. No

extension of time has been asked for or contemplated.

MR. O'HANLON: Does the right hon. Gentleman think it is wise on the part of the Government—

MR. SPEAKER: The hon. Member must not discuss a matter of opinion.

**POLLING STATION FOR GLENCOLUMBKILLE.**

MR. O'HANLON: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether, in view of the distance from Glencolumbkille to the nearest polling station (County Donegal), an order can be made to give the Glencolumbkille voters a station, inasmuch as it is likely to be a contested Division at the next Election?

\*MR. JACKSON: The hon. Member is perhaps not aware that I answered a similar question on the 5th of this month, and my answer was to the effect that I have no power to consider alterations of existing districts except on resolutions passed by Chairmen of Quarter Sessions.

MR. MAC NEILL: I put a subsequent question, in which I asked the right hon. Gentleman to communicate with the Chairman of Quarter Sessions, a supporter of his own.

\*MR. JACKSON: And I recommended the hon. Member to communicate with the Chairman.

MR. O'HANLON: Will the right hon. Gentleman take the trouble to visit the district? I think his predecessor went to Killibegs.

\*MR. JACKSON: I should be very glad of the opportunity of visiting this very beautiful district.

**NUMBER OF BONDED WAREHOUSES.**

MR. O'HANLON: I beg to ask the Chancellor of the Exchequer how many merchants or firms in Ireland, England, and Scotland are allowed to bottle spirits in bond?

\*MR. GOSCHEN: The number of bonded warehouses in which the bottling of spirits is allowed is, in Ireland, forty-one; in England, one hundred and forty-four; in Scotland, one hundred and four; total, two hundred and eighty-nine. There is no record of the precise number of firms who avail themselves of the privileges granted to these warehouses.

### THE CONVICTION OF MR. LEWIS LYONS.

DR. CAMERON: I beg to ask the Secretary of State, for the Home Department whether his attention has been called to a letter in the *Daily News* of the 10th instant, and signed by Mr. H. Whorlow, regarding the case of Mr. Lewis Lyons, President of the International Tailors' Union, who is at present undergoing a sentence of six months' imprisonment on a conviction for libelling a firm of tailors, by describing them as "sweaters," in an article in Yiddish in a small trade publication entitled the *Jewish Trade Unionist*; and whether, considering that Lyons admitted the authorship of the article but was prevented from bringing forward his witnesses in justification because he had failed to give the notice required by law of such a plea, he will look into the statement of the case in the letter referred to with a view, if it is correct, of reducing the sentence?

MR. MATTHEWS: I am informed by the learned Recorder that the defendant had been dismissed from the service of the prosecutor because his practices were not consistent with honesty; that he had several times applied unsuccessfully to be taken back into the prosecutor's employ, and afterwards published the libel when the prosecutor was a candidate at the recent election to the London County Council. The defendant having stated before the magistrate who committed him that he intended to call witnesses, the prosecutor's solicitors wrote to him on 29th March to inform him, as he was not legally represented, that it would be necessary for him to file a plea of justification if he wished to call witnesses. The Recorder, considering that this letter was sufficient notice to the defendant if he really wished to justify the libel, refused to postpone the trial. The prosecutor was called, and cross-examined by counsel for the defendant. He disproved the allegations in the libel. The learned Recorder informs me that he was satisfied that the libel was a personal attack and not an honest attempt to expose a sweater. I see no ground for interfering with the sentence.

DR. CAMERON: Is the right hon. Gentleman aware that Mr. Thompson, who was to have appeared as counsel for Mr. Lyons, denied that the prisoner knew anything about the procedure and the necessity of giving notice? I have seen a letter from him to that effect. If it is the case that owing to inability to understand a technical point the man failed to produce evidence, will the right hon. Gentleman look into the matter?

MR. MATTHEWS: I cannot realise the condition of mind of either Mr. Thompson or Mr. Lyons if they failed to understand a distinct notice that a plea of justification must be filed if witnesses were to be called. They had twelve days before the trial in which to file the plea.

DR. CAMERON: Perhaps the right hon. Gentleman is not aware that Mr. Thompson denies having received the notification mentioned.

### A "PROCLAIMED" MEETING.

MR. HAYDEN (Leitrim, S.), for Mr. NOLAN (Louth, N.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland on what grounds the meeting called by the Evicted Tenants' Association, to be held on the 1st May last at Inniscarra, was proclaimed by the Irish Government?

\*MR. JACKSON: The meeting referred to was proclaimed, as the responsible authorities had reason to believe that it was being convened with the unlawful object of denouncing and intimidating the occupier of an evicted farm and of intimidating others from taking such farms.

MR. SEXTON: I should like to ask the right hon. Gentleman whether the Government have any right to suppress a public meeting in Ireland without disclosing the information on which they acted?

\*MR. JACKSON: In a previous answer I stated that the police had reason to suppose that this meeting would lead to a disturbance, and that it was on a sworn information suppressed, the same course being followed in this as in other cases.

MR. SEXTON: What I particularly want to ask is, whether the Government have a right to prevent a public meeting from being held in Ireland,

and refuse to disclose the information on which they act?

\*MR. JACKSON: The Government accept the responsibility of their action. It is notorious what the character of the meeting was to be. I find in the report of certain proceedings connected with this meeting, that a letter was read from a gentleman whom the hon. Member will know—Mr. Michael Davitt. He apologised for his absence and said—

"I regret I am unable to attend a meeting announced to be held in support of evicted tenants and for denouncing landgrabbers. I wish you thorough success."

I have merely read this to show that the object of the proposed meeting was to bring intimidation to bear upon persons in the district.

MR. SEXTON: I shall move for the production of a copy of the sworn information, on the principle that the Government are not entitled to suppress a public meeting unless they are prepared to inform the House of the reasons on which they act.

MR. PATRICK O'BRIEN: Is it in the power of any policeman to obtain the suppression of a proposed meeting?

\*MR. JACKSON: The Government cannot interfere with any meeting unless they have reason to believe it will be an illegal meeting.

#### ALLEGED RIGHT OF WAY AT THE CURRAGH.

MR. HAYDEN (for Mr. CAREW, Kildare, N.): I beg to ask the Secretary to the Treasury whether he is aware that a site for the erection of a labourer's cottage, on a farm adjoining the Curragh of Kildare, has been selected and approved of by the Naas Board of Guardians, and that the contractor employed by the Guardians for the building of the cottage has been unable to undertake the work, in consequence of the refusal of the Deputy Ranger of the Curragh to allow him access to the site; and whether, inasmuch as the only means of access is across a strip of waste land about nine yards in width between the public road and the farm, over which a right of way has always existed, he will state under what authority the Deputy Ranger is acting in closing up a right of way?

SIR J. GORST: The right of way alleged has never existed. An attempt was made to assert such right of way by pulling down the Curragh boundary fence. The Deputy Ranger applied to the Court, and a perpetual injunction has been granted.

#### THE POLICE VOTE AND VESTRY ELECTIONS.

MR. PATRICK O'BRIEN: I beg to ask the Secretary of State for the Home Department whether the Metropolitan Police Regulations permit constables, while on special or ordinary duty at a polling station, to record their votes in vestry elections where the voting is open; whether two constables were reported to the Commissioner for recording their votes while on special duty at the recent vestry election at Walthamstow; and whether one of the two constables was removed to another station in consequence; and, if so, whether he will have him restored, and make such alterations in the Police Regulations as will prevent constables being punished for exercising the franchise?

MR. MATTHEWS: The answer to the first paragraph of the question is in the affirmative. No police-constables were reported for recording their votes on the occasion referred to. A complaint was made by a private individual that two constables had voted whilst on duty, and he was informed that there was nothing in what was complained of to which exception would be taken. No constable was removed to another station in connection with this matter. This question is a mere repetition of a question which the hon. Member put to me on Monday last, and I must refer him to my reply on that occasion.

#### THE ORDNANCE SURVEY EMPLOYEES.

MR. HAYDEN (for Mr. JOHN REDMOND, Waterford): I beg to ask the President of the Board of Agriculture when it is probable that the Report of the Departmental Committee, appointed some months ago to inquire into the present position of the civil employees on the Ordnance Survey, will be laid upon the Table, or made known to the men?

**THE PRESIDENT OF THE BOARD OF AGRICULTURE** (Mr. CHAPLIN, Lincolnshire, Sleaford): I answered a similar question a few days ago. The Report in question will be laid on the Table, I hope, very shortly.

#### INOCULATION AND PLEURO-PNEUMONIA.

**MR. HAYDEN** (for Dr. FITZGERALD, Longford, S.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether the Government have altogether given up scientific experiments regarding the efficacy of inoculation as a preventive of pleuro-pneumonia; and, if so, on what grounds?

\***MR. JACKSON**: The subject-matter of this question was carefully considered by a Departmental Committee, and reported to Parliament on 10th July, 1888. The Committee, for the reasons detailed at length in that Report, did not recommend inoculation as a means of eradicating pleuro-pneumonia.

#### IRISH VETERINARY INSPECTORS AND SUPERANNUATION.

**MR. T. HARRINGTON** (Dublin Harbour) (for Mr. MAGUIRE, Donegal, N.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether Government officials appointed under similar circumstances to the Privy Council Veterinary Inspectors, Ireland, are now entitled to superannuation allowances; and whether, if so, he is prepared to reconsider the unsatisfactory position of officials connected with so important a branch of the Public Service as the Veterinary Department, Ireland, with a view of redressing their grievances with respect to superannuation allowances, as set forth in a recent memorial presented to him?

\***MR. JACKSON**: The officials referred to were appointed on the understanding, and with the full knowledge, that they would not be entitled to receive any superannuation allowances. I do not feel myself in a position to propose a change in their conditions of service.

#### POOR LAW MEDICAL OFFICERS IN IRELAND.

**MR. HAYDEN** (for Dr. FITZGERALD): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland how many Irish dispensary doctors are at present serving under the Poor Law Board in Ireland whose ages range from sixty-five to eighty-five years; and if there is any age, or any length of service, which entitles an Irish dispensary doctor to a retiring allowance?

\***MR. JACKSON**: The Local Government Board are not aware how many Poor Law Medical Officers in Ireland between the limits of age mentioned in the question are now serving. There is no age or length of service which entitles these officers to retiring allowance. The granting of these allowances is at the discretion of the Boards of Guardians, subject to the consent of the Local Government Board.

#### PETROLEUM IN THE SUEZ CANAL.

**MR. CRAIG** (Newcastle-upon-Tyne): I beg to ask the Under Secretary of State for Foreign Affairs if he will give the names of the experts whose assistance was given by Her Majesty's Government to the British Directors of the Suez Canal Company, when the regulations for transport of petroleum in bulk through the Suez Canal were under the consideration of the Company; and if he can say whether the experts in question acquainted themselves, by personal observation, with the exceptional conditions and circumstances under which this traffic must, if permitted, be conducted?

\***THE UNDER SECRETARY OF STATE FOR FOREIGN AFFAIRS** (Mr. J. W. LOWTHER, Cumberland, Penrith): The Inter-Departmental Committee which considered the regulations referred to was composed of Colonel Majendie (representing the Home Office), Sir Digby Murray (representing the Board of Trade), Captain Wharton (representing the Admiralty), Sir Rivers Wilson and Sir J. Stokes (two of the British Directors of the Suez Canal Company), and myself (representing the Foreign Office). The names of the first three gentlemen



are, I think, a sufficient guarantee of the quality of the assistance given to the British Directors. The hon. Member is labouring under a misapprehension if he thinks that any power is vested in Her Majesty's Government to permit or forbid any particular class of traffic through the Suez Canal. Her Majesty's Government have no such power; nor has the Company.

**MR. BRUNNER** (Cheshire, Northwich): I beg to ask the Secretary of State for War whether he has considered the provisional regulations of the Suez Canal Company for the carriage of petroleum in bulk, as they affect the safety of the thousands of Her Majesty's troops annually passing through the Canal?

**THE FIRST LORD OF THE ADMIRALTY** (Lord G. HAMILTON, Middlesex, Ealing) (who replied): The question of the carriage of petroleum in bulk through the Suez Canal was considered by an Inter-Departmental Committee at the Foreign Office in December last, and additions to the proposed regulations were framed with the object of making the traffic as safe as possible. These proposals were submitted by the British directors to the Suez Canal Company, and have been in part included in the revised regulations. I am, however, informed that at present petroleum is not carried in bulk through the Canal.

#### STEAM TRAWLING IN IRISH WATERS.

**MR. TIMOTHY HARRINGTON**: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether it has come to his knowledge that the fishermen of Ringsend, and other fishermen engaged in trawling off the Irish coast, have suffered very serious injury during the present season from the manner in which their nets are being driven into and torn by steam trawlers from the French and English ports; and whether he will take some steps to afford protection to the poor men engaged in this industry?

\***MR. JACKSON**: The Inspectors of the Irish Fisheries report that no complaints of the nature indicated in the question have been received by them.

#### FOOT-AND-MOUTH DISEASE REGULATIONS.

**VISCOUNT CRANBORNE** (Lancashire, N.E., Darwen): I beg to ask the President of the Board of Agriculture whether it has been brought to his notice that, whereas the foot-and-mouth disease restrictions were removed on Thursday, the 14th April, the Railway Company refused to transport cattle from Skipton to Blackburn on the following Monday, on the ground that they had no knowledge that the restrictions had been removed?

**MR. CHAPLIN**: I have no knowledge of the occurrence to which my noble Friend refers. An Order revoking the prohibition against the movement of animals out of Lancashire was issued on the 13th April and came into force on the following day. A copy of it was sent to the Lancashire Railway Companies on the day on which it was issued; but that Order did not affect the movement of cattle from Skipton, in Yorkshire, to Blackburn, in Lancashire, and I think there must have been some mistake on the part of some of the individuals concerned in the matter. I have made careful inquiry, and I cannot ascertain that there has been any failure on the part of the officers of the Board of Agriculture to notify with promptness the issue of the numerous Orders which it has recently been necessary to pass.

#### GRANTING OF LICENCES AT KINGSTON-ON-THAMES.

**MR. BOWEN ROWLANDS** (Cardiganshire): I beg to ask the Secretary of State for the Home Department whether his attention has been called to the proceedings of the Justices of the Licensing Sessions for the Borough of Kingston-on-Thames, held on the 2nd and 30th March last, when six magistrates sat as a Licensing Committee to hear applications for licences, and granted two full provisional licences, notwithstanding strong opposition on the part of the inhabitants of the respective localities in which the proposed licensed houses are to be situated; whether he is aware that the same Justices, with the addition of two others, immediately after such licences

were granted, sat as a confirming authority, and, without hearing evidence, confirmed the decision of the Committee; and whether it is usual, or in accordance with the provisions of the Licensing Acts, that in boroughs where there are no Quarter Sessions the confirmation of a Committee decision should be made by the same Justices with only two additional Justices sitting with them and deciding the question, without evidence or argument, within a few minutes of the decision of the Committee, thus preventing the opportunity of an appeal to, or a rehearing by, another body of Justices?

MR. MATTHEWS: I am informed by the Clerk to the Justices that the case referred to in the question was not one of new licences, but was a transfer of two old licences from quarters of the town where they are not required to sites in the outskirts where considerable building operations have been going on for years. The opposition was mainly from members of the Total Abstinence Society and from one publican. The petitions for and against the applications were in several instances signed by the same persons. The confirming Justices had all been present in Court, and had heard the original application. They constituted a majority of the whole Borough Bench, and were unanimous. I am not aware that there was any illegality in the proceedings.

#### ENLISTMENT OF BOYS IN THE ARMY.

MR. PAULTON (Durham, Bishop Auckland): I beg to ask the Financial Secretary to the War Office if his attention has been drawn to the report in the *Times* of the 13th instant of a case at the Thames Police Court, where a man complained that his son, who was only fourteen and a half years of age, had enlisted into a Fusilier regiment at Aldershot, stating that he had written to the Adjutant of the regiment, protesting against his son being detained against his parents' will, but had received no reply; whether he is aware that the magistrate directed the police to inquire into the case, and can he state what the

result of that inquiry has been; and what steps does he intend to take in the matter?

MAJOR RASCH (Essex, S.E.): I beg to ask the Secretary of State for War whether his attention has been drawn to the statement in the *Times* of Friday, that a recruit, aged fourteen, has been enlisted by an Infantry battalion at Aldershot; and, if so, what explanation he can give of the case?

MR. BRODRICK: Application has been made for the discharge of Private Defries, of the 1st Battalion Scottish Rifles, who is stated by his father to be only fourteen and a half years of age, but who, after performing seven weeks drill in the Militia, enlisted last January, giving his age as eighteen years two months. The medical officer recorded his age as physically equivalent to eighteen, he being five feet four and five-eighths of an inch high, with a chest measurement of thirty-three inches, and weight of one hundred and twenty-six pounds, which are above the minimum of the British or any foreign army. If his age can be substantiated he will be discharged, but up to the present time the father has failed to substantiate his statement by a birth certificate.

MR. PAULTON: Will steps be taken to ascertain what the age of this boy is?

MR. BRODRICK: I do not think it is necessary for the War Office to take any steps. It being shown that the recruit was physically equivalent to eighteen, I think the War Office can do no more.

#### ACCESS TO MOUNTAINS IN SCOTLAND.

MR. BRYCE (Aberdeen, S.): I beg to ask the Lord Advocate whether, considering that Her Majesty's Government have accepted a Resolution declaring that legislation is needed to secure to the public the right of access to mountains and moorlands in Scotland, and that they now take exception to the provisions of the Access to Mountains (Scotland) Bill, which has been brought in to give effect to that Resolution, they will state to the House what their objections are to that Bill, and subject to what Amendments they can assent to its passing, in order that its promoters may be able to determine

*Mr. Bowen Rowlands*

whether, by accepting such Amendments, the passage of the Bill in the present Session of Parliament can be secured?

\*SIR C. J. PEARSON: I have to inform the hon. Member that the Government intend to introduce a Bill dealing with this subject, though if it meets with opposition they cannot promise time for its discussion.

MR. BRYCE: How soon may we expect it to be introduced?

\*SIR C. J. PEARSON: I cannot give the right hon. Gentleman any assurance on that point.

MR. BRYCE: Will it be introduced within the next month, or this Session?

\*SIR C. J. PEARSON: I really cannot add anything to the reply I have already given to the right hon. Gentleman's question.

MR. BRYCE: I must press the right hon. Gentleman on this matter. Will the Bill be introduced this Session?

\*SIR C. J. PEARSON: My reply had reference to this Session.

#### POLYNESIAN LABOUR IN QUEENSLAND.

MR. SAMUEL SMITH (Flintshire): I beg to ask the Under Secretary of State for the Colonies whether the telegraphic statement which appeared in the *Times* of 13th May, that Governor Sir Henry Norman has given the Royal Assent to the Bill for removing the prohibition on the importation of Kanaka labour for employment on the sugar plantations in Queensland, is correct; and, if so, whether Her Majesty's Government has any further power to disallow this legislation?

THE UNDER SECRETARY OF STATE FOR THE COLONIES (Baron H. DE WORMS, Liverpool, East Toxteth): As I have already stated, the Bill has been assented to by the Governor, and is therefore in operation. The power of disallowance still remains with the Queen. The Act as passed by the Legislature has not yet been received, but I may remind the House that the outrages referred to by the hon. Member in his former questions were all committed before 1885; and looking to the fact that the recruiting and employment of natives has been carried on under the existing

regulations from 1885 to the end of 1890 without any abuses, and that, as appears from the telegram from Queensland, those regulations will be made still more stringent, and as the Colonial Government is firmly determined to prevent infringement of those regulations, there would not seem to be sufficient ground for advising so exceptional a course as disallowance. I may also remind the House that the High Commissioner's Court of the Western Pacific has, under the Pacific Islanders' Protection Acts, and the Orders in Council made under those Acts, and the Foreign Jurisdiction Acts, jurisdiction to try and punish British subjects for offences committed against natives of the Western Pacific Islands in or within three miles of any of those islands or on board a British ship at sea.

MR. SAMUEL SMITH: Will the right hon. Gentleman allow time for the House to see the provisions of this new Act before finally deciding to allow it?

MR. WINTERBOTHAM (Gloucester, Cirencester): May I ask if the right hon. Gentleman will say on what day this Government received from Queensland information that the Act was passed; and whether he will reconsider his determination, in view of the strong feeling existing in the country, not to telegraph for these new and stringent regulations which he has assured the House are inserted in the Act?

BARON H. DE WORMS: Mr. Speaker, in answer to these questions I have to say that the recruiting could not be stopped except by immediate disallowance of the Act; and, as I have stated, Her Majesty's Government are not prepared to take that extreme step. I may remind the hon. Gentleman that by the Colonial Regulations, No. 50, every law which has received the Governor's assent, unless it contains a suspending clause, immediately, or from the time specified in the Act, becomes law. The Crown has power to disallow the law, and if it be exercised, the law ceases to operate from the date at which that disallowance is published. And that answers the second question, because if we were to telegraph for the regulations in force,

we could not prevent recruiting without disallowing the Act.

MR. PICTON (Leicester): Does the right hon. Gentleman know what these new and satisfactory regulations are? If so, will he lay them on the Table of the House?

BARON H. DE WORMS: I have only to say that all the information I am in possession of I have given to the House. The information contained in the telegram which I read on Friday—which was sent by the Government of Queensland to the Agent General of Queensland—contained an assurance that the Colonial Government had imposed most stringent restrictions, which would prevent any possible recurrence of those events which I, in common with every Member of this House, lament. I cannot see, in view of the explanation I have given, that we should be further advanced by adopting the suggestion of the hon. Member.

MR. PICTON: May I ask if the prerogative of the Crown cannot be held in suspense until the regulations are received, and the House knows what they are? How can the Government, without having seen them, tell that they are satisfactory?

BARON H. DE WORMS: I have endeavoured to make my meaning clear, but I do not think the hon. Gentleman has understood my answer. I read the 50th paragraph of the Colonial Regulations, showing that the recruiting could not be stopped except by immediate disallowance of the Act.

SIR R. LETHBRIDGE (Kensington, N.): I beg to ask the Under Secretary of State for the Colonies a question of which I have given him private notice, whether his attention has been directed to a telegram in the *Times* of the 14th instant, giving a statement of Mr. Playford, the Premier of South Australia, at Townsville, Queensland, to the effect that the Polynesian labourers imported from the South Sea Islands into Queensland were practically slaves?

BARON H. DE WORMS: In consequence of this paragraph in the *Times* of the 14th instant, the Agent General for Queensland telegraphed to

*Baron H. De Worms*

his Government, and he has received the following reply, dated Brisbane, 16th May:—

"Playford arrived yesterday here. Demes emphatically that he stated anything of the kind mentioned. Never ashore in Queensland before yesterday."

MR. JOHN ELLIS: What we desire is that the House shall have the opportunity of seeing what the present regulations, which have proved insufficient, are; and what the more stringent regulations are. Will the right hon. Gentleman telegraph and obtain that information?

BARON H. DE WORMS: As far as I know, the more stringent regulations are on their way home. The House would not be farther advanced if they possessed them. We have either to allow them to go on or disallow the Act in force.

MR. CUNINGHAME GRAHAM (Lanark, N.W.): May I ask the right hon. Gentleman whether, as this Act has provoked considerable friction, the Government are prepared to disallow it?

MR. WINTERBOTHAM: I am sorry to press the right hon. Gentleman further; but, in answer to a question, the right hon. Gentleman said that still more stringent regulations would be issued on the Governor's return. Can he state what objection there would be to telegraph for these more stringent regulations?

BARON H. DE WORMS: I do not see that there is any objection to telegraph for them. But I am bound to say I do not think the position would be in the least altered thereby.

#### SCOTCH PRISON OFFICIALS.

MR. ESSLEMONT: I beg to ask the Lord Advocate whether he will lay upon the Table the Report in regard to Scotch Prisons, and whether the work performed by officers in English and Scotch convict prisons is exactly parallel, and that the salaries alone differ?

\*SIR C. J. PEARSON: It is not intended to lay this Departmental Report on the Table, as it is not thought that such a course would be of public benefit. As there is in Scotland no separate convict prison service, the comparison suggested in the question is somewhat



misleading. Though the work performed at Peterhead Prison is similar to that performed by officers in convict prisons in England, the hon. Member is correct in saying that the rates of pay differ.

#### CATTLE DISEASE ON THE CONTINENT.

MR. BEAUFOY (Lambeth, Kennington): I beg to ask the President of the Board of Agriculture whether he is satisfied that cattle disease exists in Spain and Portugal; and whether he can now withdraw the notice prohibiting the importation of cattle from those countries?

MR. CHAPLIN: I do not know about Portugal, but I am satisfied that disease exists in Spain. The Order prohibiting the importation of live animals from Spain and Portugal took effect from 31st March last, and on 29th April I received information from Cadiz that foot-and-mouth disease had broken out in the district of San Roque. I have since been informed that the same disease has been discovered in other districts, and in Cadiz itself. I cannot consent, under any circumstances, to withdraw the Order in question so long as there is any danger of the importation of disease from the Continent; and what has occurred in the case both of Spain and of Holland proves, I think, conclusively that the danger was not over estimated by the Board of Agriculture.

#### ERECTION OF THE NEW GENERAL POST OFFICE.

MR. CREMER (Shoreditch, Haggerston): I beg to ask the First Commissioner of Works whether his attention has been called to the manner in which the brickwork is being executed at the new General Post Office; and whether, if the subject has not been brought under his notice, he will direct inquiries to be made, and be prepared to receive evidence from workmen who have been or who are employed upon the building?

THE FIRST COMMISSIONER OF WORKS (Mr. PLUNKET, Dublin University): My attention has not been specially called to the manner in which the brickwork is being executed at the

new General Post Office, but since the hon. Member's question appeared on the Paper I have directed inquiries to be made, and shall be glad to receive any information which the hon. Member can give me on the subject.

#### ADDITIONAL LICENCES IN COUNTY DONEGAL.

MR. T. W. RUSSELL (Tyrone, S.): I beg to ask the Attorney General for Ireland how many new licences for the sale of intoxicating liquors were granted in the County Donegal at the annual Licensing Sessions held in October last; how many have since been granted; and if in this county large sums of public money have recently and are now being spent, owing to the strong representations made that the inhabitants were in great destitution, and that famine was imminent?

MR. MADDEN: I am informed that twenty - two new licences were granted at the annual Licensing Sessions held in County Donegal in October last, and that one new licence has since been granted. I have also to say that considerable sums of public money have recently been spent in relief of destitution in the county.

#### THE GRANTS TOWARDS HORSE BREEDING IN IRELAND.

MR. PINKERTON (for Mr. McCARTAN): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland, with reference to the grant of five thousand pounds towards the improvement of the breed of horses in Ireland, whether the amount was devoted towards the improvement of the breed of horses only; and whether he will advise the Royal Dublin Society to cause at least one of the stallions selected for County Down to visit some of the towns in South Down, in order that the farmers of that division may derive some benefit from the grant?

\*MR. JACKSON: The annual grant of five thousand pounds is devoted to the improvement of the breed of cattle as well as horses, in accordance with the provisions of the Probate Duties Act. The Royal Dublin Society allocates three thousand two hundred pounds to horses, and one thousand

eight hundred pounds to cattle. Under the provisions of the scheme in operation, this year the owners of stallions determine the places at which they shall serve.

MR. PINKERTON: Can the right hon. Gentleman say whether the distribution has anything to do with politics?

\*MR. JACKSON: I am sorry the hon. Gentleman should even suggest anything of the kind. I am quite sure that nobody who knows the way in which the Royal Dublin Society discharges its duties would think that.

MR. KNOX (Cavan, W.): Is it not a fact that the Royal Dublin Society do assign horses to different parts of the country and not merely to those places from which applications are made?

\*MR. JACKSON: I understand that the Royal Dublin Society invites offers of horses from owners, and of course they accept what good offers are made. If applications are made from other districts and the horses are found to be satisfactory, of course the Royal Dublin Society will give to the districts from which the applications are made the same advantages as other places.

#### ECCLESIASTICAL COMMISSIONERS AND TITHE RENT RECEIPTS.

MR. MORTON (Peterborough): I beg to ask the right hon. Member for Oxford University, as an Ecclesiastical Commissioner, whether he has now made inquiries and seen a letter, signed E. David, Williams, and David, who describe themselves as receivers of tithe for the Ecclesiastical Commissioners of England at Llandaff, for the Parish of Llanthew, Brecon; and whether he will take steps to ensure that the Rule of the Commissioners, that separate receipts are to be given whenever required, is adhered to by all their agents?

SIR JOHN R. MOWBRAY (Oxford University): In answer to a question from the hon. Member on 31st March, I stated that the receivers of the Ecclesiastical Commissioners had been directed by them to give every facility to landowners by furnishing as many separate receipts in respect of each tithe rent-charge as might be required; but I promised the hon. Member, if he

*Mr. Jackson*

would furnish particulars of any case such as was suggested in his question, the matter should be investigated. The hon. Member has since furnished me with a copy of the letter referred to in his present question, in which Messrs. David, Williams and David, while applying for payment of tithe rent-charge due to the Ecclesiastical Commissioners, and describing themselves as receivers, declined to furnish separate receipts for each tenant. The Ecclesiastical Commissioners have investigated the matter, and regret to find that such a letter should have been written, which was entirely contrary to their instructions and unknown to their receivers. The writers of the letter, Messrs. David, Williams, and David, are a local firm of surveyors at Cardiff, who have been employed by Messrs. Clutton, but they are not nominated or appointed by the Ecclesiastical Commissioners, or authorised by them to act on their behalf. Messrs. Clutton are the receivers of the Commissioners for that district, and the Commissioners hold them accountable for all acts of persons employed by them. The attention of Messrs. Clutton has been specially called to the circumstances of this case, and orders have been issued which will ensure that the rule of the Commissioners, that separate receipts are to be given whenever required, shall be adhered to by all their agents.

#### THE EDUCATION OF THE DEAF AND DUMB.

MR. BRUNNER: I beg to ask the Vice President of the Committee of Council on Education whether he will this Session re-introduce the Deaf and Dumb Children Education Bill; and whether, in view of the fact that dumb children can be taught to speak, he will change the title of the Bill, so as not to perpetuate the notion that deaf children are necessarily dumb?

THE VICE PRESIDENT OF THE COUNCIL (Sir W. HART DYKE, Kent, Dartford): The hon. Member's knowledge of the Bill does not appear to extend so far as its title, or he would be aware that for the last two Sessions it has been described as the Elementary Education (Blind and Deaf) Bill. I believe it is the intention of the Lord

President to introduce the Bill in another place at an early date, if there is a probability of time being found to pass it through the House of Commons.

#### THE CONVICT KINSELLA.

MR. WILLIAM O'BRIEN: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland at what date the case of the convict Kinsella, at present confined in Maryborough Prison, was last re-considered; and whether, in view of the fact that the man is in bad health, and has already suffered ten years' penal servitude for assault, and that the man assaulted has long since recovered from his injuries and received £150 compensation, the Lord Lieutenant will again consider Kinsella's case with a view to exercising the prerogative of mercy in his favour?

\*MR. JACKSON: The case of the convict referred to was last considered in October, 1890, by the Lords Justices, acting for the present Viceroy. If the convict is of opinion that there are any circumstances he would wish to have brought before the Lord Lieutenant, it is, of course, open to him to submit a further memorial.

#### BALL AMMUNITION TO SOLDIERS.

MR. JEFFREYS (Hants, Basingstoke): I beg to ask the Financial Secretary to the War Office what check is kept on the ball ammunition served out to soldiers at Aldershot and elsewhere, whether it is true, as stated at the late inquest of a soldier at Aldershot, that two hundred rounds were in possession of one soldier; and if in future greater supervision will be exercised in serving out ball cartridges?

MR. BRODRICK: Officers commanding companies are held responsible that men to whom ball cartridge is issued account for it all either by producing empty cartridge cases or unfired cartridges. Inquiries are being made at Aldershot as to the alleged possession by one soldier of two hundred ball cartridges, but at present nothing is known to justify such a statement. The attention of General Officers commanding will be called to the necessity of careful supervision in all cases of issue of ball cartridges; but it is feared that nothing will prevent the occasional secretion of a cartridge.

#### THE PARIAH POPULATION IN SOUTH INDIA.

MR. BUCHANAN (Edinburgh, W.): I beg to ask the Under Secretary of State for India whether the attention of the Madras Government has been frequently drawn of late by the public Press, by memorials from the missionaries, and particularly in a Report from Mr. Tremenheere, Collector of Chingleput, to the condition of the pariah population in Southern India; whether Mr. Tremenheere's Report will be published; and whether the Secretary of State will urge the Madras Government to take immediate steps, by legislation or otherwise, to remove the grievances and ameliorate the condition of this class?

\*THE UNDER SECRETARY OF STATE FOR INDIA (Mr. CURZON, Lancashire, Southport): (1) The attention of the Government of Madras has been called to the subject by a Despatch from the Secretary of State of the 23rd July last, as well as in the manner described by the hon. Member. (2) The Secretary of State has not yet received the reply of the Government of Madras or the particular Report mentioned by the hon. Member. It is impossible to say at present what Papers will be presented. (3) Both the Secretary of State and the Government of Madras are anxious to do all that is practicable to improve the condition of the pariahs. The subject is under the consideration of the Government of Madras, and the Secretary of State has telegraphed to inquire when their reply to his Despatch may be expected.

#### GREENWICH HOSPITAL PENSIONS.

ADMIRAL MAYNE (Pembroke and Haverfordwest): I beg to ask the First Lord of the Admiralty whether he can state what action the Government intend to take on the Report of the Committee upon the Greenwich Hospital Pensions?

LORD G. HAMILTON: The evidence given before the Committee has not yet been published, and there has, therefore, been no opportunity of considering the reasons which influenced the Committee in arriving at the decisions given in their Report. The Go-

vernment will, however, take the subject into consideration as soon as possible; and if the hon. and gallant Gentleman will repeat his question after the publication of the evidence, I hope then to be able to announce the action we propose to take in the matter.

#### GUNNERY TRIALS ON THE "ROYAL SOVEREIGN."

ADMIRAL MAYNE: I beg to ask the First Lord of the Admiralty whether it is the case that instructions have been issued to the *Royal Sovereign* not to fire her 67-ton guns right ahead?

LORD G. HAMILTON: No such instructions as those suggested have been given. The gunnery trials that took place in the *Trafalgar* at the time she was commissioned were conclusive as to the power of the deck structure to withstand the concussion of firing the 67-ton guns fore and aft; and as the decks of the *Royal Sovereign* have been pillared and supported to even a greater extent, no useful object would have been served in carrying out similar trials in her case. The recent gunnery trials were made primarily to test the gun mountings and appliances for loading and working the guns, and as a matter of convenience the guns were fired nearly abeam.

#### THE CASE OF COLONEL MAGUIRE.

MR. HAYDEN (for Mr. HARRISON, Tipperary, Mid): I beg to ask the Financial Secretary to the War Office whether he has ever had under his own personal consideration the case of Lieutenant Colonel Maguire, late of the 60th Rifles, with reference to his claim for "compensation for loss of good service pay, pension, &c"?

MR. BRODRICK: Yes, Sir. The case has been repeatedly considered since 1866, and the Secretary of State personally decided five years ago that Lieutenant Colonel Maguire had no claim. It is not a case connected with the abolition of purchase.

#### THE RIVER FERGUS.

MR. COX (Clare, E.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether his attention has been directed to a resolution of the Clare Castle Harbour

*Lord G. Hamilton*

Trustees, passed on the 26th January last, with reference to the obstruction caused in the River Fergus by the stones and mud washed into the bed of the river from the broken slob lands embankment; whether he is aware of the danger to navigation caused thereby; and whether he will have steps taken to remove the present obstruction and to prevent a recurrence? Before the right hon. Gentleman answers I should like to ask him whether since this Notice has been placed on the Paper his attention has not been again directed to the dangerous condition of the River Fergus; and also why it is that the complaints have never received the slightest attention? Frequent representations have been made by the Local Board Chairman on the 25th January, and the time when this Notice was placed on the Paper.

\*SIR J. GORST: I am informed that, after a very careful examination of the River Fergus by the engineer of the Board of Works, no such obstruction as that described has been found to exist.

MR. COX: May I be permitted to read the communication sent to the right hon. Gentleman by the Secretary of the Clare Castle Harbour Commissioners last Friday?

\*SIR J. GORST: I think it would be more satisfactory if the hon. Member would put down a further question.

MR. COX: I will do so.

#### EVICTIIONS IN MAYO.

MR. WILLIAM O'BRIEN: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he has observed that three hundred and twenty eviction notices were filed in the County of Mayo alone during the last three months; whether he has inquired into the cause of this increase of eviction notices in that county; upon how many and what estates does Mr. Rutledge, Sub-Sheriff of the County of Mayo, act as land agent; and, in view of the fact that the Sub-Sheriff, who is the nominee of the High Sheriff, is directly responsible to the Crown, by whom he is appointed, will the Government intimate to the High Sheriff the undesirability, on grounds of public



policy, of his delegate, the principal executive officer of the law in the county, fulfilling at the same time the functions of agent for the parties who are plaintiffs in actions of ejectment?

\*MR. JACKSON: I am informed that the eviction notices referred to have been issued in respect of ejectment decrees obtained at the April, June, and September Sessions of 1891, some of which were accordingly about to run out of date. It must not be supposed that evictions will necessarily follow on these notices. On the contrary, as a matter of fact, I am informed that settlements have already been made in a large portion of the cases, and further settlements will, no doubt, follow if the tenants are left free to act as they think best.

MR. WILLIAM O'BRIEN: Is it not a fact that the mere receipt of one of these eviction notices deprives the tenant of every legal interest in his holding just as much as if he were on the roadside; and is it not a fact also that the number of eviction notices served, from whatever reason, within the past three months in County Mayo is greater than the number of eviction notices served in any similar period for the last ten years?

\*MR. JACKSON: I do not know the statistics, but I understand that under the Act of 1887, when an amendment of the law was made, the act of serving a notice is held to be equivalent to taking possession. The hon. Member knows, however, that usually a period of time elapses between the serving of the notice and taking possession, and I have no doubt that in most of these cases settlements have been made.

MR. WILLIAM O'BRIEN: I should like to call the attention of the right hon. Gentleman to the fact that he has made no answer whatever to the two last paragraphs of the question.

\*MR. JACKSON: I must apologise to the hon. Member for not having referred to them. He asks me upon how many and what estates does Mr. Rutledge, Sub-Sheriff of Mayo, act as land agent. I have no means of ascertaining that unless I communicate with Mr. Rutledge and ask him; I have no power of enforcing an answer to the question, and it would only be by his courtesy that I could possibly ob-

tain the information. With reference to the last paragraph, I have previously expressed my own opinion upon the subject; but I have since learned from inquiries I have made that wherever Mr. Rutledge, acting as agent, has found it necessary to take proceedings, in all those cases they were carried out by bailiffs and not by himself.

MR. WILLIAM O'BRIEN: Inasmuch as the Sub-Sheriff is nominated by the High Sheriff, who is directly responsible to the Crown, I should like to ask if any remonstrance will be made with this Sub-Sheriff on the subject of acting in the double capacity of agent for the landlord and principal executive officer of the Crown?

\*MR. JACKSON: The hon. Member knows very well that I have no power to interfere with the High Sheriff, and no remonstrance of mine would be of any value. The only result would be that the High Sheriff would ask me to appoint somebody else.

MR. WILLIAM O'BRIEN: Is it not a fact that the right hon. Gentleman has so much power over the High Sheriffs in Ireland that he or his predecessor merely by a stroke of the pen removed from being High Sheriff of Waterford the hon. Member for Dublin County?

MR. SPEAKER: Order, order!

MR. WILLIAM O'BRIEN: I shall deal with this question at the first opportunity on the Vote on Account.

#### SEED POTATOES IN IRELAND.

MR. KNOX: I beg to ask the Secretary to the Treasury whether any decision has yet been arrived at as to the payment of the amount of the verdict and costs in the case of "Ryan v. The Guardians of the Cavan Union"; if so, what is the decision; if not, what is the reason for the delay; and whether he is aware that the loss caused to the Guardians in that case was entirely caused by their obedience to the order of the Inspector appointed by the Land Commission, under the Seed Potatoes Act, that they were bound to obey such order by the rules made under the Act, and that the Guardians of the Enniskillen Union, under similar circumstances, refused to obey the same rule, and escaped the loss which has fallen

on the Cavan Guardians on account of their obedience to the law?

\*SIR J. GORST: The Treasury cannot consider this question until the close of the collection of the seed rate. I am not aware of the circumstances alleged in the second paragraph of the question.

MR. KNOX: May I ask, as the right hon. Gentleman told me three months ago that this matter was under consideration, what has been the result of the consideration which has been going on; and what is the reason why the consideration must be postponed until the time he mentions?

SIR J. GORST: I think I told him the reason.

MR. KNOX: Why should it not be considered earlier? I do not see any occasion for the delay. I shall put down a question for another day.

#### LOUGH ERNE DRAINAGE.

MR. KNOX: I beg to ask the Secretary to the Treasury in how many cases the Commissioners of Public Works in Ireland have, up to the present date, raised the rents of tenants whose lands are alleged to have been improved by the Lough Erne drainage; what is the total amount of increase; what is the acreage of the land alleged to have been improved, and on which the rents have been increased; and how many of such tenants held under judicial tenancies?

\*SIR J. GORST: I am informed that up to the present increased rents have only been settled for one-third of the district — namely, on seven hundred and fifty-nine holdings containing five thousand four hundred and two acres, the increased rents amounting to one thousand and seventy-eight pounds per annum; two hundred and twenty-three of the holdings are held under judicial tenancies.

MR. KNOX: I would ask the right hon. Gentleman whether, considering the bad effect on the peace of the district of those increases of rent, and the great difficulty in arriving at any final legal decision as to whether the Board of Works has power to raise judicial rents, he will use his influence to expedite the decision of the pending cases, in order that joint action may be taken by the tenants?

*Mr. Knox*

\*SIR J. GORST: I must ask for notice of that question.

#### MR. CURZON AND ARBITRATION.

MR. CREMER: I beg to ask the Under Secretary of State for India a question of which I have given him private notice—namely, whether in a speech delivered by him at Brighton on the 9th instant, a brief account of which appeared in the *Times* on the 11th instant, he is correctly reported to have said, concerning a principle which has been adopted and acted upon by Her Majesty's Government, that he was glad the Arbitration Societies had not made it impossible to defend with the sword what the sword had won?

\*MR. CURZON: The words which the hon. Gentleman recites are not exactly those which I used; but, at the same time, they represent with approximate fidelity what I said. It will be obvious to this House that there must be many hundreds of years before the principles of the Society or the League, of which I understand the hon. Gentleman is the Secretary, can be successfully applied to the settlement of frontier disputes with turbulent tribes on the confines of our Indian Empire, and the opinion I expressed in the speech to which he has referred was one of purely personal satisfaction that I should not live long enough to see the time when an attempt will be made to settle these questions by the hon. Gentleman or the Society which he represents.

MR. BURT (Morpeth): As the hon. Gentleman has admitted the substantial accuracy of the report, I should like to ask the right hon. Gentleman the First Lord of the Treasury if he approves of the language which is calculated to discredit the method of peaceful adjustment of differences between nations that has been more than once adopted by the Government of this country and carried on successfully for settlement of international differences.

THE FIRST LORD OF THE TREASURY (Mr. A. J. BALFOUR, Manchester, E.): So far as I hear what passed between my hon. Friend and the hon. Gentleman who put the question originally, I gather that my hon. Friend expresses his dissent from

the view that the principle of arbitration can be successfully applied between the frontier tribes in India and the Government of India. It appears to me that in expressing the limitation to which the principle of arbitration can be applied with any probability of success during the next few years, my hon. Friend did a service rather than a disservice to the cause, because nothing does more harm to any cause, however good it may be, than the ill-timed and intemperate advocacy of its friends.

MR. KNOX : What about the speech of Lord Salisbury ?

MR. SPEAKER : Order, order !

### ORDERS OF THE DAY.

#### WAYS AND MEANS.

Considered in Committee.

(In the Committee.)

1. Motion made, and Question proposed,

"That, towards raising the Supply granted to Her Majesty, the Duties of Customs now chargeable on Tea shall continue to be levied and charged on and after the first day of August, one thousand eight hundred and ninety-two, until the first day of August, one thousand eight hundred and ninety-three, on the importation thereof into Great Britain or Ireland (that is to say) on—

Tea . . the pound . . Four Pence."

\*MR. SYDNEY BUXTON (Tower Hamlets, Poplar) : I believe on this Resolution we are entitled to discuss the Budget as a whole, and to discuss the general financial position and the policy of the Chancellor of the Exchequer. The Budget was a very uneventful and humdrum affair. We were given to understand, however, by the friends of the right hon. Gentleman that he might, if he had chosen, risen superior to circumstances, and have produced a sensational and electioneering Budget out of the unpromising materials at his disposal. We were also given to understand that he declined to take advantage of this opportunity, chiefly out of consideration for our feelings. That may be so ; but, on the other hand, it is just possible that the colleagues of the right hon. Gentleman have had vividly in their recollection certain financial incidents in the

career of the right hon. Gentleman, and have thought that just before a General Election discretion was the better part of valour, and that it would, on the whole, be a mistake to introduce a sensational or far-reaching Budget. With respect to the Revenue and Expenditure, there is not very much to be said ; but I think the right hon. Gentleman is to be congratulated both on the Revenue and the Expenditure of last year. Because, while the Revenue has been elastic, there has been, especially on the War Services, a considerable saving of expenditure. That saving amounts, I think, to something like half a million a year. But I am sorry to see that this saving of expenditure on our Services cannot be considered in the light of a death-bed repentance, because the Estimates of the Army and Navy Expenditure for the coming year are the highest that this country has ever known in time of peace. Under the right hon. Gentleman the expenditure on the War Services has risen from thirty and a quarter millions to the estimate for this year, which, including the money he is about to borrow, is thirty-five and a quarter millions. That is surely a war expenditure in time of peace. As regards the Expenditure of the past year, there are only two items, apparently, on which there has been an increase. These are the Post Office item and Education. In regard to the Post Office expenditure, in so far as it has been one to improve the conditions of service of the employees, to give increased wages to the servants of the Department, I am sure this House will feel no desire to criticise the increase. But so far as it is due to costly and unprofitable expenditure, I quite agree with the sentiment which has been previously expressed by the Chancellor of the Exchequer when he said he intended to "hang on to the surplus" from the Post Office. I hope that the right hon. Gentleman and his successor—whoever he may be—will maintain this idea, for we must remember that probably this is the form of taxation which is most easily paid, and which weighs lightest upon the community at large ; and when right hon. Gentlemen desire to give away that surplus, we must not forget that we have sunk sixteen millions in the Telegraph Service, from which we do not

receive a single sixpence a year. With regard to education, we must all agree that it is hard on a Chancellor of the Exchequer that he should have had to provide this money for a principle which in former years he greatly deplored—the establishment of free schools. But I think the Committee would feel better satisfied if we were quite clear that this greatly-increased expenditure were being carried out with full regard to the increased efficiency of our national education. I am somewhat afraid that this money is being shovelled out wholesale to the voluntary schools; and that it is becoming, as we feared it might, a relief to the subscribers rather than an assistance to the efficiency of our elementary schools. But the real question in regard to the Budget seems to be whether the right hon. Gentleman has or has not over-estimated his Revenue for the coming year. That is, perhaps, a matter of greater interest to his successor than to himself; but I was somewhat surprised at the large share of personal responsibility which he took upon himself in relation to these Estimates. I think he took a much larger share of responsibility in regard to these Estimates than has usually been the case with Budget speeches in the past. This is not reassuring, for the right hon. Gentleman has, in his former Estimates, been singularly unfortunate; and in his speech the other day he dwelt with the most childlike glee on the fact that during the past year he had had more than one item within a small sum of his actual estimate. The question really is whether the right hon. Gentleman has not over-estimated his Revenue for the coming year, and whether, under these circumstances, his estimate is a real and genuine one. For the coming year his estimate of tax revenue is only a quarter of a million less than that actually received last year. But the Committee will remember that the coming year will receive four days less of revenue than the past year, that trade is bad, that there are many disputes going on between capital and labour, that railway profits are falling off, and that there is a great deal of cattle disease and distress in the agricultural districts. Though, no doubt,

*Mr. Sydney Buxton*

there was a great temptation to the right hon. Gentleman to cut his coat according to his cloth, I think he has made an over-sanguine estimate, and that we shall find ourselves with a deficit at the end of the year. But, be that as it may, the right hon. Gentleman will admit that his minute surplus has been due to two wind-falls. The first due to the checking of the system of "grogging," which might have happened any other year, which will produce the exact amount of the surplus; and the second due to the fact that the Treasury have altered the system of stating our public accounts, without consulting, as we think they should have done, the Committee specially interested in those matters, by which the right hon. Gentleman receives a quarter more of the extra receipts in this year—namely, £230,000, which is more than the surplus he has at his disposal. I am not going now to consider whether the surplus is a genuine one or not, but we all know that while he has a surplus of £200,000 he is going to borrow £2,000,000 during the coming year. On paper the Government have escaped a deficit during their last year of office; and I think it would have been somewhat ignominious if so great a financial authority as the right hon. Gentleman had so piled up his liabilities and so dissipated his resources, that in his last year of office in this Parliament he should have been landed in a deficit. I do not wish to deal further with the financial results of the past year, as the figures are small and of no very great importance; but I think on this occasion—the last Session of this Parliament, and, without any special reference to the right hon. Gentleman, we may hope the last year of this Administration—we may devote a short time to the consideration of the financial policy of the right hon. Gentleman during the five years he has held his present distinguished office. Perhaps he will allow me to say as regards his great operation on the Debt that I do not think any hon. Member will do anything except give him the fullest possible credit for that operation. It was boldly conceived and cleverly executed, and was simple and successful. It is true, too, the Conversion was somewhat above the real



credit of the country; and one envies those who preferred cash to "Goschens"; but the right hon. Gentleman undoubtedly carried through the scheme in a masterly and successful manner. I think, also, as regards the bulk of his dealings with taxation, apart from the mode in which the money has been obtained, and the question whether there might not have been a larger remission of indirect taxation, we shall all admit to have been satisfactory. It is true the right hon. Gentleman came to grief over the Sugar Bounties, over the Wheel and Van Tax, and also on the question of the Publicans' Endowment Bill; and he coquetted with protection over sugar and bottled wines. But so far as the House allowed the right hon. Gentleman to enlarge the area of taxation, he did so in a wise and satisfactory way, by the imposition of certain new Stamp Duties, the imposition of an Estate Duty, and a Duty on Sparkling Wines. The increase of taxation was very much on the same lines. He increased some Stamp Duties, the Succession Duty, and the Duties on Spirituous Liquors. As regards his reductions—though we have thought he might have devoted larger sums to the reduction of indirect taxation instead of giving all his balance to the Income Tax—we are, on the whole, fully ready to admit that they have been satisfactory. The reductions on tea—probably a further step towards its final abolition—on tobacco, and on currants, and in a different category, the reduction of the Income Tax have, no doubt, been carried out in a satisfactory way. We hear a great deal about these reductions, and the right hon. Gentleman takes great credit to himself for the way in which he has carried them through; but it should not be forgotten that while he has reduced the annual taxation to the extent of some £3,500,000, he has done so almost entirely at the expense of the service of the National Debt, because he has reduced the sum devoted to that service annually by £3,000,000. The right hon. Gentleman and his Friends claim great credit for that which has primarily enabled these reductions to be made—namely, the improved trade and the elasticity of the Revenue;

but I, for one, do not understand how the action of the right hon. Gentleman or his financial policy has had anything to do with the revived trade, or the elasticity of the Revenue which the country has enjoyed for a period. He has not carried out any fiscal reforms like those in the old days—giving liberty to trade, and so improving trade and commerce. He has carried through no financial reforms which have in any sense given elasticity to the Revenue. If he claims credit for this improved trade, however, will he be prepared to take the discredit, so far as there is any, of the fact that at the present moment trade is falling off, and the Revenue becoming inelastic? But we know very well that it is not the action of the Chancellor of the Exchequer which affects these things; they come in cycles, and we are now, I am afraid, in a period in which we shall suffer for some time from bad trade; but that is quite irrespective of the action of the Chancellor of the Exchequer, just as good trade has been in no way due to his action. In one matter the right hon. Gentleman has failed to fulfil the financial promises he made. He told us on more than one occasion he would deal with the great question of the Death Duties—would simplify, equalise, and reform them. But he has done nothing of the sort. What he has done in connection with them has been to make them, perhaps, more complicated than they were before, and more difficult for any Chancellor of the Exchequer to deal with in the future. Instead of equalising the Death Duties between personalty and realty, he has thrown a considerably heavier burden on personalty as compared with realty. The right hon. Gentleman shakes his head; but it appears from the Statistical Abstract that while he has increased by Succession Duty the burden on realty by £130,000 a year, and by the Estate Duty by £10,000 or £20,000 a year, making a total of £150,000, he has at the same time increased the burden on personalty by £800,000. We do not object to that increase, but what we do object to is that he should have made the proportions between personalty and realty more unequal than they were before. I should have been

glad to have given the right hon. Gentleman credit for the fact that by his imposition of the Estate Duty, by his alterations of the House Duty, he had introduced the principle of graduated taxation. But the right hon. Gentleman denies that soft impeachment. The real blot on the right hon. Gentleman's financial policy has been his dealings with the National Debt, apart from the question of conversion. Mr. Lowe once said that the Sinking Fund was a thing made to be robbed, and the right hon. Gentleman has on two occasions reduced the effectiveness of that Fund, and evaded the principle that within the fixed charge every farthing of saving should go to the further reduction of Debt. The right hon. Gentleman has done this without cause; he had not the excuse which his predecessors had in 1885—great war expenses; or in 1860—carrying through great fiscal reforms. He did it practically in order to reduce the Income Tax. He boasts that he has paid off a large amount of National Debt, but that is only a part of the question as regards the Debt. The policy and the financial courage of a Chancellor of the Exchequer lie not so much in the amount of the Debt annually redeemed, as in the amount of the annual charge deliberately proposed in the Budget, and applied for the whole service of the Debt apart from the question of its component parts. Judged by that standard the right hon. Gentleman can be shown to have greatly failed in appreciating the national importance of reducing the Debt. If we take the years usually quoted for purposes of comparison in this House, 1880-1 to 1884-5, and the years 1887-8 to 1891-2, we find that while during their five years of office his predecessors applied to the service 145 millions sterling, the right hon. Gentleman in his five years of office has only applied 127 millions to the same purpose, showing a difference of 18 millions in favour of his predecessors. The right hon. Gentleman, in his present Budget speech, gave us an interesting and careful comparison of the financial position of our forefathers 50 years ago and the position at present—and it would be very interesting to the House

*Mr. Sydney Burton*

if the right hon. Gentleman would give us a Return showing on what basis those figures were founded. He showed that while the population was much less, the consumption per head was very much more nowadays. In those days the country was suffering from a fiscal system which hampered and almost destroyed trade, while now we have practically no import duties which seriously affect trade. But our forefathers were prepared to bear an annual burden of 29½ millions for the service of the National Debt; while the right hon. Gentleman, who has always thanked heaven that he was not as other financiers, but more courageous, is unwilling to propose a larger burden than 25 millions a year for the National Debt. We ought also to recollect that while we are reducing the Debt, and, therefore, the amount applied to its reduction, we are increasing our local liabilities by leaps and bounds. No doubt that is a profitable expenditure; but in looking at this matter we should take our whole national liabilities into account, and not merely the National Debt, in considering the annual burden of the ratepayers and taxpayers of the country. The right hon. Gentleman claims that he has redeemed a larger amount of Debt in spite of these reductions. Even in bulk it is not a fact that he has redeemed a larger amount of Debt in his five years than did his predecessors in their five years. From the great National Debt Return I find that the reduction of Debt in the earlier five years was thirty-five and a half millions, and in the latter five years thirty-two and a half millions; and, in addition, we should allow two and three-quarter millions gift to India in the former period, and three millions for Conversion purposes in the latter. The upshot is that the right hon. Gentleman has reduced the Debt by three millions less than his predecessors.

THE CHANCELLOR OF THE EX-CHEQUER (Mr. GOSCHEN, St. George's, Hanover Square): Which Return is it the hon. Gentleman is quoting from?

\*MR. SYDNEY BUXTON: The latest Return moved for by the right hon. Member for Derby (Sir W. Harcourt), and the last year from the right hon. Gentleman's Budget speech. I will

give the totals again. The gross reduction by the right hon. Gentleman has been thirty-two and a half millions, and three millions cost of the Conversion. His predecessors' gross reduction was thirty-five and a half millions, besides two and three-quarter millions gift to India. It is not enough, however, for the right hon. Gentleman to say that he has paid off as much as his predecessors, because by the operation of our Terminable Annuities and the Sinking Fund, a Chancellor of the Exchequer succeeding another, without even lifting a finger or imposing a sixpence of taxation, should pay off a far larger amount within the Sinking Fund than his predecessors did. I have taken the trouble to add up the amount applied to interest and maintenance during the former five years, as compared with the five years of the right hon. Gentleman, and I find that in the first five years fifteen millions more so applied than during the right hon. Gentleman's five years. That means that without any action of his own he ought to have reduced the Debt by fifteen millions more than his predecessors. Further, in regard to this matter, we ought to consider primarily the amount of reduction which the right hon. Gentleman and his predecessors deliberately provided for and anticipated in their Budgets, and not the amount of realised surplus which is made up by chance, due to savings in other Departments, or to miscalculation of Revenue by the Chancellor of the Exchequer; on neither of which two heads can the Chancellor of the Exchequer claim credit for forethought. If you deal with the matter in that way you will find that the right hon. Gentleman provided in his Budget for a reduction of the Debt to the extent of only 21½ millions, while his predecessors provided for no less than thirty-five millions, so that the right hon. Gentleman provided for over thirteen millions less than his predecessors. The upshot is that while elastic revenue has very much helped the reduction of Debt by producing large surpluses, that has been not in consequence, but in spite, of the action of the right hon. Gentleman. And when we shall feel the evil results of the action of the right hon. Gentleman is

not when Revenue is elastic, but when trade has fallen, when Revenue has become inelastic, and when the estimates of revenue are more accurate than they have been during the last few years. And one is afraid that, as the right hon. Gentleman has reduced the Sinking Fund when he had a large surplus and there was no occasion to do it, it will be a great precedent and temptation to his successors to further reduce the service of the Debt when they find trade falling and the Revenue becoming inelastic. The right hon. Gentleman has, on the one hand, not only reduced the Debt service to enable him to remit taxation, but he has been spreading his liabilities over considerable periods in order to avoid increasing taxation on the other hand. I will not enter into that point at present, as the right hon. Gentleman below me will certainly deal with it. I only want to point out this in regard to the matter of spreading liabilities over long periods; the right hon. Gentleman is what he calls equalising the Expenditure, and he claims that in anticipating the increased Revenue from the Suez Canal shares he is not dealing with money which will come out of taxation, but surely he himself will admit that it is identically the same thing whether you anticipate Revenue to come in a future year or whether you impose taxation for this particular purpose. On the broad question of what has been done in regard to this matter we know that he admitted it in his Budget speech the other day, that while he has had in his Budget at the end of the year certain surpluses he had borrowed five millions sterling which had gone to produce these surpluses. There is only one other point with which I wish to trouble the Committee. The whole question of the dealings of the right hon. Gentleman and the way in which he has mixed up Imperial with Local finance is a very large subject; but it is one which very much, I think, affects the right hon. Gentleman's financial reputation. That is a matter on which I do not desire to enter at the present time; but I think it would be very easy to show that he has in his dealings with local finances, instead of simplifying, complicated

all our national system of finance which existed before, and that he has very much embarrassed the free dealings with branches of Imperial Revenue ; so that by his system of ear-marking certain portions of Imperial Revenue for local purposes he has embarrassed the Treasury and has not given liberty to the Local Bodies. But finally, apart from these questions, there is one serious blot on the financial career of the right hon. Gentleman, and that is that he has succeeded, unintentionally of course, in making our national accounts infinitely more complicated than they were in the time of his predecessors. Those of us who have had the misfortune to endeavour to study in any way the mode in which our national accounts are presented to the country know how complicated they are, how very difficult it is to arrive at the figures one desires to find. All I can say is this, that if they were complicated and difficult before, the right hon. Gentleman has made them very much more complicated ; because he has increased the number of funds, he has created all sorts of new accounts, he has taken from the Revenue on the one hand and from the Expenditure on the other hand. Only the other day he made an entire alteration in appropriations in aid of Revenue, which has made it, by comparison between one year and another, almost impossible to arrive at a proper conclusion. The result of his five years of office, as regards this matter at all events, is this : that it is almost impossible to find out what has been the actual operations of the right hon. Gentleman as compared with those of his predecessors except by infinite trouble, and even, I think, with great doubt as to accuracy. Finally, I hope the right hon. Gentleman will not think in what I have said that I have dealt unfairly with what he has done. I assure him that all of us on this side of the House have a great opinion of the financial ability of the right hon. Gentleman. We have been able to congratulate him, I hope, on those matters in which he has been successful ; but surely it is our duty, if we think that he has gone wrong, to endeavour to point that out in the House. I do not think that the right hon. Gentleman himself will claim that

he has carried through any great fiscal reform, or, with the exception of the Conversion, any great financial operation ; and we believe that in many of his dealings, both with Debt and taxation, he has dealt with them not in that courageous spirit which we had hoped from his antecedents, but he has dealt with them in some respects in a cowardly and in other respects in a niggardly spirit.

\*(5.35.) SIR W. HARCOURT (Derby): As this, we may assume, is the last Budget discussion of this Parliament, I think it would not be right that the financial situation should be passed over altogether without some observations. I think my hon. Friend who has just sat down, in the able speech which he has made, has referred to many matters which are well deserving of the consideration of the House and of the country. I am not going to deal at any length with the subject of the Budget itself. I will not call it a humdrum Budget, certainly not in any term of reproach. If it be a humdrum Budget, that is not the fault of the Chancellor of the Exchequer ; and I would scarcely call it his misfortune, because happy is the Chancellor of the Exchequer who has no surplus ! He has nobody to satisfy, and nobody to tax ; and, therefore, the situation as regards the Chancellor of the Exchequer is a fortunate one. But there are certain features, as my hon. Friend who has just sat down very truly said, with reference to the whole system of the finance of the present Parliament which are, to use no stronger expression, very novel in their character. There are circumstances attending the whole plan of finance of which, I think, very few examples could be found in former times. There may have been discovered precedents for some of the things ; but I think the Chancellor of the Exchequer has been very learned and very industrious in collecting together so many of the worst examples as he has done, and in condensing them all into a single chapter in a single Administration. He frequently refers to action which has been taken by one side of the House or the other in former times which a certain feeling of reticence prevents one from expressing

*Mr. Sydney Buxton*



one's full opinion upon. I would just recall the attention of the House to what the financial situation was when the Chancellor of the Exchequer began his operations. He found himself in possession of what I will not call a surplus of £750,000 in hand. For that I was responsible. The reason why I will not call it a surplus is because it was the result of a suspension of the Sinking Fund in consequence of temporary pressure caused by the Soudan War. We had to suspend, not permanently, but for that crisis and emergency, the amount of the Sinking Fund to that extent. That money was replaced by the yield of taxation; and, therefore, what happened was that the whole amount which was intended to be devoted to the payment of the Debt was so devoted. The old Sinking Fund—that is, the realised surplus—replaced what was taken from the new Sinking Fund. As I am old-fashioned in this matter, where you suspend payment of a debt and then replace that suspension I do not call it a surplus—I call it an equilibrium. And I ask leave to apply the same principle, which seems to me a sound principle, to the finances of the present Parliament. Now, the view that the Chancellor of the Exchequer took in 1887 of the prospect before him was not a cheerful one. On the contrary, at that time it was very despondent. We all remember the very able speech he made, one-half of which was taken up in trying to prove that the produce of taxation had not only been stagnant but, in fact, decreasing. He gave the most unfavourable anticipations of the produce of the Excise, of the produce of Stamps, and especially of the produce of the Income Tax. And the Committee will remember that it was upon that gloomy anticipation of the future before him that he founded, and that he justified, what I must always consider the mischievous operation of the suspension of the Sinking Fund. He said that Sir Stafford Northcote, he was sure, would have taken the same view as he did, because when the fixed charge of twenty-eight millions was settled the Income Tax was then twopence and there was an abundant Revenue. I do not think the Chancellor of the Exchequer did justice to

the memory of Sir Stafford Northcote in that respect, because Sir Stafford Northcote had to face a great deal worse position than that which the right hon. Gentleman encountered. The Income Tax, which was twopence when Sir Stafford Northcote established the Sinking Fund, was raised by himself to sixpence in order to maintain the Sinking Fund. There had been for three years in succession a deficit of, I think, upwards of two millions a year; and in spite of that Sir Stafford Northcote maintained the Sinking Fund that he had provided for the liquidation of the Debt in the future; and, therefore, if any justification is to be had in this matter the right hon. Gentleman cannot find it in the example or administration of Sir Stafford Northcote. It is perfectly true that when the great charges came upon the country in consequence of the Soudan War, my right hon. Friend, who is unfortunately absent abroad, the Member for South Edinburgh (Mr. Childers), would have had to borrow money, or to suspend the Sinking Fund for a single year—he took the latter course, as a temporary measure to meet a temporary exigency. That is a totally different thing from a permanent suspension which is to operate in the future. Sir Stafford Northcote raised the Income Tax in order to maintain the Sinking Fund; the right hon. Gentleman destroys the Sinking Fund in order to lower the Income Tax. That is just the difference between the financial policy of the present Chancellor of the Exchequer and that of former Conservative Chancellors of the Exchequer. The Sinking Fund is practically a capital fund; and if you are to reduce taxation out of capital you introduce a principle of finance which has never yet been approved of or acted upon by Finance Ministers of this country; and that was the policy adopted by the Chancellor of the Exchequer at the very commencement of the present Parliament. He did it upon the assumption and upon the averment that the Revenue was permanently depressed, and that there was likely to be no improvement. Fortunately for himself and the country he was in error.

If he will allow me to say so, he was splendidly mistaken, because having founded his attack upon the Sinking Fund upon the prospect of a reduced Revenue, he found himself, to use his own picturesque phrase, on an "ascending curve." Every one of those sources of Revenue of which he had complained as being in an unprosperous condition immediately showed themselves full of elasticity. The Excise increased—unfortunately the House and the country cannot appreciate how much, because in this unhappy muddle of the local taxation and Imperial taxation in which we find the accounts, that is all hid away, and we do not know as regards the Excise how much it is in excess of what it was in the year 1886-87, and how much it is even beyond the high water mark of 1875. In the same way with regard to the Death Duties, the country does not know and cannot see that the Death Duties have been increased by a million, which does not appear on the face of the public accounts; and if I wanted a condemnation of this unhappy muddle of accounts, is it not here? I think it is a most remarkable and novel circumstance that in the very able and very full Budget speech of the Chancellor of the Exchequer, you cannot find a single statement of the actual produce of the Revenue of this country. It excludes seven millions of money, raised by Imperial taxes, which has been transferred to the Local Funds. I think it is a most unfortunate example of innovation in finance that we should have a Financial Statement by the Chancellor of the Exchequer which excludes from view this vast amount, on account of this system of paying over the public Revenue to a body with which we are supposed to have nothing to do, and thus we are without any account of the actual amount of the taxes which have been levied by this House upon the people. That complication, I think, is a very great innovation and a very great misfortune. It is a curious thing that it is only through the extreme courtesy which I have always received from the right hon. Gentleman and the Treasury that I know myself what in the past year has been the actual contribution or pay-

*Sir W. Harcourt*

ment made from the Exchequer to the Local Bodies. You cannot get it till it appears in the Finance Accounts which will come out some months hence. Well, from the figures I have seen, in spite of the reduction which the right hon Gentleman has made upon tea, tobacco, and currants, I find the yield of the Customs is nearly what it was—about the same as in 1886. The Excise, so far as I can judge, is nearly five millions more; Stamps four millions more—half of which goes to the Local Authorities; and the Income Tax, from which twopence has been taken off, shows only a loss equivalent to the reduction of a penny, while the net revenue of the Post Office shows a gain of a million. Now, I do not complain of the Chancellor of the Exchequer—far from it—because of his gloomy and happily unfounded view of the future that lay before him in 1887—I only hope that his anticipation for the next five years may be as ill-founded as the view he took then. But I call attention to this fact, that it destroys the only justification of the policy which he inaugurated in 1887. His whole case on the Budget of 1887 was that the Revenue was bad, that it was likely to be worse, that it had lost all elasticity. The reason why I desire to call attention to this is to show that, ever since 1887, so far from being in want of money, the Chancellor of the Exchequer has been very flush of money; and that, therefore, the policy could not be defended upon the ground that the Revenue was falling. Now, Sir, I want to look at the other side of the account. Was it that he found himself in difficulties in regard to expenditure? Was it that in 1887 he considered there were charges he would have to meet which were beyond those which had fallen on his predecessors? The fact was just the reverse. In the same Budget speech in which he anticipated a falling Revenue the right hon. Gentleman congratulated himself and the country on the fact that the Expenditure of the future would be less than that of the past. He attributed that to the ample—he suggested the more than an ample—provision that had been made by his predecessors for the Naval and Military Establishments of the country. There

has been so much misrepresentation upon this subject that I must ask the leave of the Committee for a few minutes to make that perfectly clear. In order that we may not be in error in that matter, I would read the observations of the Chancellor of the Exchequer in his speech in 1887. He called attention to the high charge which had been made for the Navy. He said—

“Let us hope it may be an extra charge, and not a permanent charge. This extra charge is due to that which is commonly known as the Naval scare of November, 1884”—

He does not talk quite so much now of the Naval scare of 1888—

“And if I call it a Naval scare, I do so without intending to imply either that it was justified or that it was not justified. I simply refer to it as an historical event. In that year the House agreed to an extra expenditure for the Navy of £3,100,000 on ships, and £1,600,000 on armaments. But I believe it is not infrequently the case that such Estimates expand during the course of their being worked out. In this case the Estimate for ships expanded to £3,600,000; and when the Authorities of the time had to deal with the armaments, it was found that the Estimate had not included the necessary amount for new ammunition, and that involved a further sum of £500,000.”

Now, it is in this very speech that the Chancellor of the Exchequer says that the future and present Estimates will be largely diminished. I have shown what the right hon. Gentleman's anticipation was in reference to revenue. I will now show what was his anticipation in regard to expenditure. The right hon. Gentleman went on:

“So that we may look forward, I trust, to the fact that at the end of this financial year we shall have arrived at a great diminution of the necessary charge which has been made upon the taxpayers owing to these exceptional circumstances; and there is good reason to hope that the time is not far distant when the Naval Estimates will not require to be swollen by exceptional items such as those which have fallen so heavily upon the taxpayers during the past few years.”

That was the exceptional expenditure of the Government that preceded the right hon. Gentleman's Government. Then, having referred to all these matters, he goes on to say—

“The Estimate for the Navy is £12,478,000, as against £13,265,000—a decrease, I am happy to say, of £788,000.”

Well, then, having noticed the whole of these circumstances, let us compare

them with the anticipation which he confidently held out that in consequence of the lavish expenditure of his predecessors upon the Navy, there would be a large diminution in the Naval expenditure of the future. The Government that prepared the Estimates had been in office then for more than six months, though the right hon. Gentleman himself had not been in office all that time. I have other authorities upon that subject besides the Chancellor of the Exchequer. In November of that year, 1886, the First Lord of the Admiralty said—

“The number of ships in commission, armoured and unarmoured, exceed the combined forces of the three greatest European Powers.”

That was the statement of the First Lord of the Admiralty. And that was not merely a rash opinion hazarded by a neophyte in office; for I find that on 13th December, 1888, the First Lord of the Admiralty said—

“At no period of our Naval history during a time of peace has there been so steady and continuous an increase as in the last three years.”

Two of these were years in which his predecessors were in office. He went on to say—

“But I do not wish to take credit for having completed this large number of ships, the main credit of which is due to Lord Northbrook.”

Do not let it be said, then, that the Government found themselves in any difficulty in consequence of arrears in the Establishments of the country due to the neglect and *laches* of their predecessors. In July, 1887, the First Lord of the Admiralty, who had then been a year in office, said—

“I have never said that the Navy Estimates could not be reduced, and the Navy Estimates of this year show a reduction of £800,000 as compared with last year. I said in my memorandum that I was satisfied that for years to come there could be a steady reduction of expenditure.”

That was the view of the First Lord of the Admiralty. His opinion was that in consequence of the extra work done by his predecessors he could afford to economise in the future. Now, I will carry it still a year further. In the Financial Statement in explanation of the Naval Estimates for 1888-89 I find the

First Lord of the Admiralty says this—

“In describing last year the then position of Naval Finance, I pointed out that, owing to the exceptionally large outlay of the last three years, it would be possible for some years to come to associate a reduction of expenditure with an increase of naval efficiency.”

And then he says—

“The experience gained since last year and the opportunities afforded during that time of making a close and accurate comparison between the strength of the Navy and that of foreign nations confirm my previous statement that our relative superiority is undoubted.”

Therefore, in consequence of what had been done by Lord Northbrook, which the right hon. Gentleman only completed, in his own opinion great and progressive reduction of expenditure might take place, because his predecessors had established the unquestionable superiority of our Navy over that of all European countries. In consequence of that opinion the present Government reduced the Navy Estimates in the first year by £800,000, and in the next year by, I think, £905,000. Now, I have alluded to that because this matter has been grossly misrepresented in the country. I hope that these citations will put an end to those misstatements. I saw an extraordinary speech made by the Secretary to the Admiralty (Mr. Forwood) in which he denied that sufficient provision had been made, and maintained that we had left great arrears which they were obliged to make up in their expenditure. I have now endeavoured to recall the attention of the Committee to the condition of things in 1887, in order to show that the Chancellor of the Exchequer was beginning an unbroken career of prosperous Revenue; that he and his colleagues certainly did not consider, down to 1889, that they would have any call for increased expenditure, especially upon the Navy. They recorded, on the contrary, the fact that the provision made by their predecessors would justify them in making large reductions, which reductions, in point of fact, they made in two successive years. Therefore, I may say that the right hon. Gentleman has been a Chancellor of the Exchequer in clover

during the whole time of his administration. He has had good fortune; we all know he has great ability, and he has been able to accomplish, as my hon. Friend who has just sat down has justly and properly admitted, many things which are advantageous to the country. He has reduced the Income Tax, the Tea Duty, the Tobacco Duty, the Currant Duty, and the House Duty; and he has been able to give the country the benefit of free education. I desire, before I go into any criticism upon the other side, fairly and frankly to put forward these matters as things for which the Chancellor of the Exchequer deserves credit, both on account of his good fortune and for the ability with which he availed himself of it. That is not all. He has carried through the great operation of the Conversion of the Debt. He had the good fortune when he came into office to find Consols at a very high price—they were at 101 before Conversion. I shall have a word to say, if the Committee will give me leave, upon that subsequently, because there is a *per contra* in that matter; but I am only referring to it now as one of the things for which the Chancellor of the Exchequer has a right to take credit. Well, all these things gave him immense advantages. He had a great Revenue, and in consequence of his conversion of the Debt he had a diminished charge upon that Revenue. I draw from these premises this conclusion—that never was there a Chancellor of the Exchequer who had less object, less excuse, less justification for breaking down the Sinking Fund. People in necessity sometimes do strange things, but for a man in the condition of prosperity in which the Chancellor of the Exchequer found himself for five years to have struck a fatal blow, and a permanent blow, at the provision for the liquidation of the Debt is a transaction which the House will wonder at and which posterity will condemn, because, after all, it is the future that will suffer for it. My hon. Friend has said that it is an example which is very difficult to resist. “If these things are done in the green tree, what will be done in the dry?” If a Chancellor of the Exchequer, in



days of prosperity such as have not been known for the last fifteen years, performs tricks of that kind upon the finances of the country, what will you expect shall be done in times when a Chancellor of the Exchequer does not know where to look to make both ends meet? These are the things that we have to deal with in looking at what we may call the moral as well as the financial aspects of this matter. It is not merely that the right hon. Gentleman has broken down the provision for the payment of the Debt incurred in the past; but in this period of exceptional prosperity he has piled up new Debt which he expects future Parliaments to liquidate. I am bound to say I think that is very novel, and not very laudable, finance. I have spoken of the invasion of the Sinking Fund, not to meet a temporary necessity, as it has been suspended before, for a single year. I might compare this with the policy of the Government in other respects. In old days, when it was necessary to suspend the Habeas Corpus Act, it was usual to suspend it for a single year; and so with reference to the Sinking Fund. If a necessity arose for suspending it, it was suspended for a single year; but just as you permanently suspend by your Coercion Act the ordinary law, so here, when with or without—(An hon. MEMBER: Order!)—when the hon. Member has done I will proceed—so here you proceed, not to suspend the Sinking Fund for any special object, but to suspend it permanently, and deprive the future of the benefit of the system which was established. With an increased Revenue and with a diminished Expenditure this has been done. Now, what has been the effect of that? The whole basis of Sir Stafford Northcote's plan was that the Sinking Fund supplied a cumulative source for the liquidation of the Debt. It was not to be a fixed amount applied every year—it was to be an increasing amount as the charge diminished. It was an arithmetical progression which was to have had, and would have had, if it had been left alone, a great and increasing effect upon the reduction of the Debt. Now, the right hon. Gentleman has

destroyed the cumulative character of that provision. He says he has been paying off as much as was paid before; but that was not the principle of Sir Stafford Northcote's Sinking Fund, which contemplated that in every year each succeeding Chancellor of the Exchequer ought to have paid off a great deal more than was paid off by his predecessors. Sir Stafford Northcote established a fixed charge of £28,000,000. At that time the interest on the Debt, as you will find if you will look in Column 6, Part 2, of the Debt Return, which gives the net interest payable, was £23,000,000. That left a margin of £5,000,000 for the liquidation of the Debt. But to-day what is the interest? The net interest payable during the past year—I have got these figures by the kindness of the Treasury—is £18,500,000, as against the £23,000,000 which Sir Stafford Northcote had to pay. What is it then to say, "I am paying off £5,000,000 as my predecessors did"? It is quite plain that, if you had left that system unbroken and undestroyed, you would have paid off nearly £10,000,000. You have ruined the system, because you have broken down the cumulative principle upon which it was founded. Now, in one sense, of course, this payment of the Debt is automatic. It is neither to the credit of a Chancellor of the Exchequer how much he pays, nor is it to his discredit. It is fixed, and if he will only leave it alone it works itself. That system of the liquidation of the Debt has been destroyed by the deliberate and wilful act of the Chancellor of the Exchequer in destroying the cumulative principle, and that is done during a period of almost unequalled prosperity. He says he has paid off as much in the four or five years of his administration, which have been taken for comparison, as was done by the previous Government in four or five years of their administration. The Chancellor of the Exchequer and I have had some discussion on that subject. I am not going again to deal in detail with those figures. I have them here, and if you choose to look at the Third Appendix of the Debt Return you will find them. It is an old controversy; the Chancellor of the Exchequer claims to bring in

certain assets to the account which I do not consider are properly payments of the Debt. If you will look at the reduction of the Debt for the four years 1882, 1883, 1884, and 1885, and compare it with the four years 1888, 1889, 1890, and 1891, you will find, as a fact, that in the four years of the first period, there was nearly £2,000,000 more paid off than in the four years of the second period. But, as I say, if the Chancellor of the Exchequer could prove that he had paid off £1,000,000 or £2,000,000 more it would not prove anything, because he ought to have paid off much more in consequence of the increased resources that he had at his disposal. How has this operated upon the reduction, because that is the important thing, of the liabilities of the State? You will find, also, in the Debt Return the comparison of the net liabilities of the State at various periods. In the year 1887, a year for which I was responsible, just before the Chancellor of the Exchequer came into office, the net liabilities of the State, you will find, were reduced by £6,658,000. This year, according to the figures supplied to me, they have been reduced by £5,300,000. That is to say, in fact, that in the year before he came into Office, the net liabilities were reduced by £1,300,000 more than they were in the year which has just concluded. That is the result of the system of finance which he has established. But that is not all. It was not only that the Chancellor of the Exchequer had an increasing Revenue; it was not only that he had a diminishing charge on him for the interest on the Debt, but he possessed, in the earlier part at least of his administration, what are called surpluses. I know there is a great deal of ignorant talk outside on this point, as though a surplus were a feather in the cap of the Chancellor of the Exchequer. It is just as much a feather in the cap of any man to get a windfall which he does not expect and which he does not calculate upon. But the principle of the finance of this country has always been to ask from the people in the form of taxes only what you want for the needs of the year; and if you take more than you want, why that is nothing to boast of.

*Sir W. Harcourt*

It is a pardonable miscalculation of the produce of the Revenue. I do not blame the Chancellor of the Exchequer for having a surplus, because error is always possible, and if it is on the right side so much the better. But with reference to his Estimate of Revenue for the coming year upon which the surplus depends, my hon. Friend who has just spoken and my right hon. Friend the Member for Midlothian (Mr. W. E. Gladstone) have alluded to that. We who have had some Treasury experience were a little surprised to find the manner in which the Chancellor of the Exchequer spoke of himself as being the person who made the Estimates. I know my right hon. Friend the Member for Midlothian has very strong opinions upon that point—that the Estimates of Revenue ought not to be regarded as the personal opinion of the Chancellor of the Exchequer. It would be extremely dangerous if it were so. One of the great securities for the permanent financial administration of this country is that these Estimates are made by the permanent officials of the Revenue and of the Treasury, who act upon certain fixed principles and the Chancellor of the Exchequer does not vouch his own personal opinions and judgment as the main guide in the formation of those Estimates. I believe the Chancellor of the Exchequer did not mean to put it in that way [Mr. GOSCHEN: Hear, hear]!; but certainly in his Budget speech I think he seemed—I have no doubt from an anxiety which I perfectly recognise on his part—to take a little more responsibility upon himself in this matter than is usually done. I do not attempt to question the Estimates of Revenue of the Chancellor of the Exchequer. I think that is a very rash thing to do, for he has much better means of information than anyone else can have in the matter; and pointing, as he did, to the future, I only hope that he may be as happily mistaken in his prognostications of a less prosperous future as he was in the year 1887. But now let us see, talking of these surpluses, what is the fund he had at his disposal. I have shown you how he had an increasing Revenue and how he had a diminished charge and a lowered Expenditure. During the six years

from 1887 to 1892 he had surpluses amounting to £8,000,000, and in the previous six years there were surpluses amounting only to £1,600,000. The consequence was that he had a lump sum of £6,500,000 to dispose of to his advantage out of these surpluses as compared with his predecessors. Then he had this other advantage to which I have already alluded—he had so much less to pay in interest on the Debt. I have got the figures here, but I will not trouble the Committee with the details. For the six years from 1881 to 1886 we had to pay £129,000,000 in interest upon the Debt; he had to pay during his six years only £119,000,000. This was owing to a diminished interest—due in great part to his own Conversion, and I thoroughly recognise and admit that; but I am going to ask how it was disposed of. He had the money, from whatever source it came. As against our 129 millions he had only 119 millions to pay. That is to say that on that head he had an advantage of ten millions. Therefore, putting his surpluses at seven millions, and his diminished charges for Debt at ten millions, he had seventeen millions of money to deal with out of these two sources. Now these are things which, in addition to the other advantages to which I have referred, placed him in an exceptionally favourable position. Again, I say, in spite of all this, he diminished the Sinking Fund by three millions, and this three millions a year would give him something like fifteen millions more, in addition to the seventeen millions to which I have just referred. I have made these remarks with reference to the dealings with the Debt, but I now come to the other head. What has he done with reference to the future in respect of new Debt; because we have to ask ourselves what has this Parliament done in its period of prosperity with respect to the future Parliament, which, according to the prognostications of the Chancellor of the Exchequer, is likely to have darker days? If the Chancellor of the Exchequer is right we are now on a descending curve. The Chancellor of the Exchequer has told us we have arrived at an epoch of stagnation,

and we may probably see a period of diminution of Revenue. He went into very elaborate and interesting calculations as to which of the taxes gave way first, and he made provision this year only for the first head of defalcation. He made it clear that he thought it was probable there would be a greater decline on other heads of Revenue in the future. In what position has he left the future Parliament to meet these less favourable circumstances? First of all, as I pointed out, he has paid off less Debt in that period than he ought to have paid if he had maintained the Sinking Fund. The future Parliament will have to pay the interest of this fifteen millions, which would be something under half a million. Then there is the lump sum of new Debt which he has accumulated, and which will have to be paid by the next Parliament. Now what is that lump sum? I defy any ordinary man, or indeed any extraordinary man for that matter, to find out from the public accounts what it is the Chancellor of the Exchequer has borrowed, and what it is he is going to borrow. We have every possible sort of document. My right hon. Friend the Member for Bradford (Mr. Shaw Lefevre) has been at some pains to ascertain what had been borrowed. We have had an Estimate put upon the Table of what was going to be borrowed. Then you find after that that a million or a million and a half or two millions less has been borrowed. This is stated in this Return. Why? Because the work had not been done. The whole demand for these extraordinary financial arrangements was founded upon the notion of the necessity of doing the work immediately, and now I understand with regard to the contracts for ships they are about a year behindhand, and the money has not been borrowed because the work has not been done. We have had an Estimate for what is to be done this year, and we are told it differs by something like a million from the Estimate of the work to be done which was made last September. Every month, certainly every quarter, the Estimate of what you are going to borrow changes. Under the old system when you paid your way within the

year it was totally different. But in the present system when you are running on your accounts into future years you cannot tell what is to be borrowed and what is not. The only ground on which the Chancellor of the Exchequer defended this policy was that the work was to be accomplished within five years. It is quite plain now that it will not be accomplished in five years. Well, I thought from these papers of Estimates which we have had that we were going to get some information upon the point. But this is what I gather from a Return which has just been given to my right hon. Friend the Member for Bradford, showing the net estimated expenditure for the year 1892-93 on the Army and Navy. You will find there £650,000 to be advanced to the Army; you will find £471,000 to be advanced to the Navy, £1,441,000 being the total advance. I was very much puzzled by these figures, because the Chancellor of the Exchequer said he was going to borrow two millions. Then there is a note which, I think, will puzzle many people—

“The amount of savings on Shipbuilding and Armament Votes of prior years, . . . which will probably be required for dockyard work in 1892-93, is £375,000, and as the savings have been temporarily applied to contract shipbuilding purposes, the borrowing under the Naval Defence Act, 1889, may have to be increased by that amount.”

I read that over many times, but I could not make it out. It appears to be what they call in France *virement*, and it comes to this: Five years ago they borrowed £500,000 from the Dockyard Account, and applied it to the Contract Ship Account. Now they are going to borrow money on contract account in order to pay that £500,000 back again to the Shipbuilding Fund. If we have the public accounts dealt with in that way, no wonder people cannot make out how much you borrow, or how much you intend to borrow. And when you take the Treasury's own documents, and state what they have borrowed and what they are going to borrow, they say, “What ignoramuses you are. You assume the figures given you are right. Nothing of the kind. We have not done the work we said we would do; we have not borrowed the money we intended to borrow, and you

are going about deceiving people.” But our only deception consists in the citation of the Government Returns. I confess, though I have moved for account after account—and my right hon. Friend the Member for Bradford has done the same—I should despair of forming any opinion whatever of what the Government have borrowed, or what they intend to borrow; but, happily, the Chancellor of the Exchequer—though it does not appear in the public accounts—gave us two simple figures, which I will take for granted, though I cannot reconcile them to any one of the accounts presented. He said he has borrowed five millions, and he intends borrowing two millions this year. That is correct?

MR. GOSCHEN: Yes.

SIR W. HARCOURT: Then I am very glad to know it. It is quite unnecessary to understand the accounts of the Navy or of the Army, or any of the other accounts which are laid before the House. You have got half a dozen new accounts—the Australian Account, the Imperial Defence Account, the Naval Defence Account, and the Barracks Account—each with a separate and complicated system of liquidation, and all of which have one object, and that is to throw the payment on future years. The thing is so wrapped up that how much is thrown upon future years, or how much has been liquidated in the past I do not know, and I defy anyone to discover. However, now at last we have something definite on which we may rely. The Government have already borrowed five millions, and they are going to borrow two millions this year, and that is what the next Parliament will have to liquidate. That is what Dives leaves for Lazarus to pay. That is the finance we are asked to admire. The Chancellor of the Exchequer said we are to be much poorer in the future than in the past; and in order to console us for that situation, he leaves us seven millions of money, which in his time of prosperity he has not chosen to pay. Then he says, “Oh, you will have the Suez Canal shares,” and he is very proud of the success of the Suez Canal investment. Well, many a man at a gambling table is extremely glad that his *coup* has come off, but very

Sir W. Harcourt



often he is ultimately ruined by it. I take it, however, the money is procured, it is a very fortunate thing for the future to be able to look forward to this resource to meet bad times. If the times are bad there ought to be £500,000 or £600,000 to come in; but then we shall be told, "Oh, yes, but the last Parliament anticipated that, and although you have got bad times you cannot get any benefit from that for four years." The whole of it will be absorbed for that period, and that is not all. You have left on the Consolidated Fund a charge of a million and a half, which will have to be paid up to the year 1896.

MR. GOSCHEN: No; that will be deducted from the seven millions.

\*SIR W. HARCOURT: Yes; it goes towards repaying the seven millions. Who are to provide that? The people in 1896.

MR. GOSCHEN: I beg the right hon. Gentleman's pardon. The people will not have to pay extra taxes. The taxes are already imposed to pay that. They will be relieved of the £5,000,000.

\*SIR W. HARCOURT: They will have to find the money to pay for work that was done in the last five years. I do not know what the right hon. Gentleman means by having provided taxes. Now I would observe, in passing, that the £1,500,000 charged for seven years on the Consolidated Fund exactly neutralises the sum which the Chancellor of the Exchequer claims to have saved to the country by his Conversion scheme, and therefore no benefit will be felt from that Conversion so long as that charge of £1,500,000 is maintained—until 1896. But then the right hon. Gentleman says all this has been done for the purpose of providing ships for the Navy. How far are you going to carry that doctrine? I understand it when applied to the case of permanent works—for fortifications, or even for barracks—and that for these we may properly call upon future years to bear a portion of the burden. The distinction is familiar to all of us. But what would you think of a Railway Company which charged the cost of rolling stock to capital account? Such a Company would be regarded as being in a state

of extreme financial demoralisation. I hear some hon. Gentlemen laugh. I do not know whether Railway Companies are in the habit of charging their capital account for this purpose—for things which perish in the using. Everybody knows that you have hardly built a ship before the experts, with the Lords of the Admiralty at their head, come to tell you that it is good for nothing. You do not proceed upon this system in the other Departments of the State. If you want sites or buildings for public purposes, or even docks, you charge them to Revenue. Then the Chancellor of the Exchequer talks of his surpluses. Now, again, I say it is a very dangerous thing to quarrel about words, and I do not care very much what you call the thing. I always thought a surplus meant a state of account in which your Revenue was larger than your Expenditure. But that is not apparently the new meaning of the word. Up to last year account was rendered only of the ordinary Expenditure; but last year I asked for a Return of the whole Expenditure and the whole Revenue of the year. You had one account called the Public Income and Expenditure, and that showed a surplus of £1,700,000. But when I got my Return I found that the surplus consisted of £1,776,000, which had been borrowed. The Chancellor of the Exchequer may call that a surplus; but I do not. Then I have got a Return for this year, which shows a surplus of £1,000,000; and that is obtained by borrowing £1,800,000. In the old days we used to call that a deficit. In the year that is coming we have an estimated surplus of £200,000, with the information that we are going to borrow £2,000,000. This is the position in which we stand with respect to the surpluses. It is a question, I admit, of nomenclature. If you choose to call an excess of Expenditure over Revenue a surplus, and an excess of Revenue over Expenditure a deficit, it comes to the same thing, so long as you understand the terms you employ. If this thing is to be defended on the doctrine of spreading, I feel almost afraid to characterise that doctrine for fear the Chancellor of the Exchequer should accuse me of ferocious purism

in finance. But it is not my ferocity that I would refer to. It is that of the Chancellor of the Exchequer himself in his condemnation of the present system in the person of Sir Stafford Northcote, when he said that Sir Stafford Northcote was guilty of cowardly and flabby finance, because he adopted the plan of spreading the charges which had arisen at the end of the Administration of Lord Beaconsfield. My ferocity is nothing to that of the Chancellor of the Exchequer. But when we come to compare his finance with that of Sir Stafford Northcote, why the latter's was heroic and Spartan finance as contrasted with that the Chancellor of the Exchequer has adopted under circumstances which, I confess, seem to me to have very little to justify it. What is this £7,000,000 of accumulated borrowing? It is a mere *post obit*—drawn by this Parliament to be paid in the next. Now, just see where the Chancellor of the Exchequer would be to-day if he had adhered to the principles laid down by Sir Stafford Northcote. He would have been paying £3,000,000 more than he does now to the Sinking Fund. He would not have borrowed £1,000,000 in the year just completed, and he would not have increased the Debt by an increased deficiency of £1,000,000 on the Savings Banks due to his Conversion. Therefore, his finance, as compared with that of Sir Stafford Northcote, is on the wrong side to the extent of £5,000,000. Now, with regard to the surplus of the present year, there is an ambiguity about it which I would ask the Chancellor of the Exchequer to clear up. He proposes to reserve an estimated surplus of £200,000. That is got somehow or other out of the Appropriations in Aid; and without going into the question of principle I thought this was clear, that whatever you lost in one way you gained in the other; and if, on the one hand, you diminished the charge you diminished the Revenue to the same amount. Somehow or other, by a feat of legerdemain, the Chancellor of the Exchequer gets £200,000 out of the transaction—that is, I suppose, in consequence of postponed payments.

MR. GOSCHEN: No; it is not postponed payments.

*Sir W. Harcourt*

\*SIR W. HARCOURT: Then I should be glad to have that explained. It is not quite clear. I am glad to hear that the Chancellor of the Exchequer has done something to diminish the amount of the Floating Debt, the amount of the diminution being, I understand, £800,000. That is not a large amount having regard to the figure at which the Floating Debt now stands. The Chancellor of the Exchequer lays great stress upon the distinction between the Floating Debt in the hands of the public and the Floating Debt in the hands of the National Debt Commissioners. If that is as important as he supposes, it is a very remarkable circumstance that there is no document which I have ever seen stating the amount of Floating Debt in the hands of the public as distinguished from the Floating Debt in the hands of the National Debt Commissioners. In the Finance Accounts there is no such statement. The Chancellor of the Exchequer has a Bill, as I understand, dealing with this very important matter, by the creation of a book debt. That will be a new account—another complication in the accounts. The right hon. Gentleman alluded to the book debt created some years ago by my right hon. Friend the Member for Midlothian, which, he said, was of a similar character. But so far as I can ascertain, it was of an exactly opposite character. My right hon. Friend the Member for Midlothian, having taken a certain amount of money from the Savings Banks in Consols which stood at ninety-two, gave a book debt at par with a view to diminishing the Savings Bank deficiency. Now, the right hon. Gentleman the Chancellor of the Exchequer comes forward and tells us that his operations for the Conversion have increased the deficiency on the Savings Bank by the amount of £1,000,000. Therefore, whatever may be the merits or the demerits of his plan, it seems to be exactly opposite to that of my right hon. Friend the Member for Midlothian. I want now to say one word about the Conversion. I desire to give the Chancellor of the Exchequer full credit not only for his fortune, but for his ability in dealing with that matter; but I am sure that the right hon. Gentle-

man, whose primary duty is no doubt to look after the interests of the taxpayers, will admit, as every Finance Minister ought to admit, that nothing is more injurious than that the public creditor should feel that he has been hardly used. He depends very much upon the faith which is placed by the public in that great Fund, the Debt of this country. I am convinced that the Chancellor of the Exchequer, when he assured the fundholder that his Two and Three-Quarter Stock would be worth par, fully believed it, and the holder was induced to believe that Two and Three-Quarter per Cent. Stock for a fixed period would be more valuable than Three per Cent. Stock which was uncertain in respect to Conversion; but it has not turned out to be so. The fact is, that ever since—though I am happy to see that his Consols have been higher during the last few days than they have ever been before—on the whole they have been about five per cent. lower than at the time of the Conversion. Well, of course, that has been a very serious matter; for if you take five per cent. on the amount of £600,000,000 Consols, that has been a loss of £30,000,000 of capital value, besides the loss of interest to the holders of the National Debt. It is not an advantage that Consols should be a less popular investment than they used to be; it weakens the position of the Chancellor of the Exchequer, and it weakens, consequently, the public credit. Here, again, comes in the evil of the diminution of the Sinking Fund. If he had kept those £3,000,000 for the Sinking Fund, he would have had £3,000,000 to invest in Consols, and might to a great degree have maintained their value. Many people are of the opinion that the Conversion—admirable and advantageous as it was to the taxpayer—was not of the same advantage to the commercial community, and that a great deal of the wild speculation from which we have suffered so much in the last three years is due to the fact that people, in view of the depression in Consols after their conversion, felt obliged to seek for other investments. And many people are now prevented from investing in Consols by the fear that they might, on the further

reduction of interest, fall to an extent equal to, if not greater than, that which has already taken place. Now, to turn to another matter, in how many things are we left in total ignorance with reference to the finances of the country? Look at the condition in which local taxation stands. There are seven millions of money which have been imposed and collected by the State, and what has become of that money—what has been done with it? What purpose has it served? Of that we hear nothing. The Chancellor of the Exchequer has handed over £7,000,000 to the Local Authorities, and he knows nothing and tells us nothing of what has become of it. I think the time has come when we ought to have a Local Taxation Budget, either from the Chancellor of the Exchequer, or from the President of the Local Government Board. Who will tell us what has been done with the £7,000,000? We do not know how it has been spent; how far it has reduced the rates, or how much has been lost in the sands of a wasteful expenditure by the people who have received subsidies of this description. If we are to have this policy at all I think that the old subsidy system was much better. It was more honest and straightforward. When the Government assigned a definite sum to a particular purpose we knew what became of the money; but now you pretend it is not an Imperial tax when it is an Imperial tax, and you have established the evil system of one authority raising taxes and another spending them. This is as unsound finance as it is possible to have. The hon. Member for Poplar (Mr. Sydney Buxton) alluded to a matter which, in my opinion, is of still greater importance. You have tied the hands of the Chancellor of the Exchequer in respect of the resources of the country. Supposing you want money for an emergency, and suppose it is necessary for that purpose to raise the Probate Duty: there is no particular reason why you should give more money to the Local Bodies because there some Imperial emergency has arisen; and yet the Chancellor of the Exchequer cannot raise the Probate Duty without giving half the proceeds to the relief of

local rates. In what a position to place that great Tax! With reference to the Excise licences, that source of Revenue has been taken out of your power altogether, however expedient it may be in the future to do so. You have lost the power of dealing with them. I want to know how all this money has been spent. What has become of it? What good has it done? I have endeavoured to show the great resources you have had at your disposal. The legitimate source for the reduction of taxation in my judgment, and I think in the judgment of all people who have dealt with English Finance before, is the increase of Revenue. But your method of reducing taxes has been by expending capital; that is, by suspending the Sinking Fund and accumulating Debt. But having got these resources—having your surpluses, having your diminished charge, having your fixed charge cut down by three millions—what have you done with the money? You have taken from the Revenue, first of all, nearly £5,000,000 for local taxation. Where has that gone? The Minister of Agriculture has told us. It has gone to the owners of real property; they are the people who have had it. (Cries of dissent.) You must find fault with the Minister of Agriculture for the statement, and not with me.

MR. GOSCHEN: You do not believe that.

\*SIR W. HARCOURT: The right hon. Gentleman says I do not believe it. The right hon. Gentleman himself would not have believed it formerly. He must settle the point with the Minister of Agriculture. When with reminiscences of those very able writings with which we are all familiar we found the Chancellor of the Exchequer expending four millions of money in gifts to the rates, he said that was not a thing in which he himself believed, but that it had been forced upon him by the House of Commons. If you did not believe in it, why did you do it? There is no doubt that a great part at least of the relief of the rates goes to the benefit of the owners of property; that cannot be denied. You have taken £4,500,000 off the Income Tax, and that,

with the other item, amounts to nearly £9,000,000; but that relief of taxation has been mainly for the advantage of the wealthier classes. Now, what remission is given to the labouring classes? You have reduced the taxation on tobacco, and tea, and currants, and that remission adds up, I believe, to something like £2,500,000, against the £8,500,000 given to the wealthier classes; but as against the £2,500,000 you have taken off you have imposed by fresh taxation £1,500,000 upon the consumer, upon articles of Excise, upon beer and spirits, in order that £4,500,000 may be given to the owners of property. In point of fact, therefore, you have almost neutralised the relief which you have given to the working classes. It is true you have imposed about £1,000,000 upon Estate Duty, and you have taken off a part of the House Duty. I do not know exactly what class contributes that, but I should think it would be the class which the Chancellor of the Exchequer described in one of his speeches as those who wear black coats—that is, those who are between the wealthy and the poorer and operative classes. That is your distribution of taxation. You may dispute about items of a hundred thousand here and a hundred thousand there; but this I will say, that of the wealth and prosperity which has poured in upon you during the last six years you have given by far the preponderance to the wealthier and not to the poorer classes. These are the main charges which I make against the policy of the Chancellor of the Exchequer. But in order that I may deal fairly with him, I will in brief sentences state the proposition I have endeavoured to establish. I think that the policy of the right hon. Gentleman is open to criticism upon these grounds—firstly, that in times of high financial prosperity and with large surpluses, he has without justification broken down the provision for the payment of the National Debt; secondly, that with extraordinary resources at his disposal he has accumulated a debt which he has bequeathed to a future Parliament; thirdly, that his reduction of the charge upon the Converted Debt to the extent of £1,500,000 will be absorbed, at least till

*Sir W. Harcourt*



1896, by an equal extra charge imposed upon the Consolidated Fund; fourthly, that in his remission of taxation he has given the balance of advantage to the classes who least required it; and, fifthly, that for the next few years he has forestalled revenue and increased charges in order to relieve a prosperous present at the expense possibly of a far less prosperous future; and the surpluses for the last three years which he has declared are more than countervailed by the obligations he has incurred. It is said that "necessity is the mother of invention;" but the Chancellor of the Exchequer has not had the excuse of necessity for his extremely inventive finance. I think it is very much to be regretted that in times of exceptional prosperity the future should have been thus mortgaged without need and without justification.

\*THE CHANCELLOR OF THE EXCHEQUER (Mr. GOSCHEN, St. George's, Hanover Square): I am at some disadvantage in following the speech of the right hon. Gentleman, because I feel some compunction in repeating what I have often said before. Half of the right hon. Gentleman's speech was delivered last year, a portion of it during the year before, and a very large number of the arguments which he has put forward to-day have been submitted during every Budget Debate since I have had the honour to hold my present office. It is curious to note, however, that those arguments have very seldom been followed by a test of the feeling of the House. Most of the propositions which the right hon. Gentleman has laid down might have been voted upon in this House, but they have generally been reserved for platform speeches. The right hon. Gentleman was good enough, at the end of his speech, to sum up the propositions, with which I should have to deal. I am obliged to him, because it is often extremely useful to know the exact points of a long speech; but on this occasion I will admit that I was prepared for the attack and the general review of the right hon. Gentleman, because I have previously seen it in so many forms, both in print and reported in the form of platform utterance. The right hon. Gentleman—I think, perhaps not un-

fairly—based his repetition of what I may call the various charges that have been brought against us on previous occasions on the ground that we were now probably at the end of this Parliament. Well, I am not ashamed to look back, notwithstanding the criticisms of the right hon. Gentleman, on the record of the last six years. Indeed, but for some of the observations at the close of the speech of the right hon. Gentleman, I should have almost been inclined to say that an impartial observer listening to his speech would have said that he admitted almost as many virtues in my finance as he had found vices in it. He was in general fair in his review of what had been done, and of measures to which he could give his assent; and I am bound to say that, looking to the magnitude of the operations which he applauded, I think the amount with which he found fault would, in the eyes of an impartial observer, scarcely outweigh the merits which he himself acknowledged. I should like to be allowed to follow the right hon. Gentleman through most of the points he has raised, notwithstanding the hour at which I have risen. Let me deal, in the first place, with one point which rather stands by itself; and that is the remarks which he made upon the Conversion. The hon. Member for Poplar (Mr. Sydney Buxton), stated that there were few persons—that indeed there was scarcely a person in this House—who would find fault with the Conversion. But I think the right hon. Gentleman (Sir W. Harcourt) has been from the beginning one of those who have seen in it less advantage to the country than nearly all those who sit on the same Bench with him, and almost every other person in the House and in the country. One can see how little the right hon. Gentleman appreciates the importance of the Conversion when he says that actually for two years the result will be absorbed by the amount that has been put upon the Consolidated Fund to pay for the instalments of the Naval Defence Act.

SIR W. HARCOURT: More than.

\*MR. GOSCHEN: No, there are only two years to run after this year of the Naval Defence Annuity; and the right hon. Gentleman puts against these two years the permanent reduction of the

National Debt. I will ask the right hon. Gentleman, is it not almost a petty point to take to say that the value of the Conversion is diminished because for two years the result will be absorbed? The right hon. Gentleman will remember—

SIR W. HARCOURT: What I said was that the action would neutralise the great and permanent reduction of the Debt.

\*MR. GOSCHEN: I do not venture to say more than that it is rather a petty point. It is true to a certain extent, but it is scarcely worthy of the right hon. Gentleman. Well, then, the right hon. Gentleman says, as I have also seen stated elsewhere, that the reduction of the interest on the National Debt has probably had the effect of driving persons into speculative investments. I have seen it stated in a newspaper that it was possible I had done actually more harm than good by reducing the rate of interest from three to two and three-quarters per cent. But suppose that the Conversion attempted by our opponents had succeeded, would not that have had precisely the same effect? They were anxious in those days to reduce the burden of debt upon the taxpayer, but I do not think it entered in the most remote way into the mind of the right hon. Gentleman the Member for Midlothian (Mr. W. E. Gladstone) that the reduction in the interest on the National Debt might send people into speculation in Argentine investments. That argument has been reserved for the last school of political financiers. Really it is out of respect for the right hon. Gentleman that I deal with the point at all, because to believe that the difference of a quarter per cent. would have the effect of sending people to six and seven per cent. Stocks seem to be quite out of reason and repugnant to ordinary experience. The right hon. Gentleman said that the price of Consols had not turned out as I anticipated. Well, it was not only I who believed that Consols would ultimately, after a certain period, rise to par; but the great majority of persons anticipated it—the bankers and the great body of public opinion thought the policy was a wise one, and supported it as such. The Committee will

remember that Consols have suffered during this time not only from the reduction of interest, but also from the Baring crisis and because of difficulties in the City, and also on account of the changes which the Legislature has thought fit—I doubt whether very wisely—to make in the enactments with reference to trusts, and which have permitted many trustees to invest in other securities contrary to the avowed intention of testators. I think the right hon. Gentleman will see that these things must have seriously affected Consols, which, however, now stand at nearly ninety-eight. The temporary causes which affected them having been removed, I should not be surprised if the prognostications of those who accepted the Conversion were ultimately fulfilled. But I venture to deny in the strongest way that any national disadvantages have followed the Conversion. I do not think the public credit has in any way been shaken by the proceeding. Then the right hon. Gentleman placed in contrast the remissions of taxation which we have made to various classes of the community, and he said that we had given four millions to the wealthy class, and about four millions to the owners of land.

SIR W. HARCOURT: I said real property.

\*MR. GOSCHEN: Well, on real property. I do ask this Committee whether it is fair in the first instance to treat the whole of the sum which is remitted in Income Tax as a reduction in favour of the wealthy class; whether it is fair in a right hon. Gentleman holding the position he does in that way to hold up the payers of Income Tax as if there was a conflict between their interests and those of the working classes? Amongst the payers of Income Tax are a large number of men, and women too, belonging to the poorer middle class who are as straitened in their circumstances as are many of the working classes themselves. No doubt the reduction of Income Tax does assist the wealthy; but besides that it assists a class who have had a claim upon the justice of this House, and a class who have generally on every emergency been called upon to pay whatever other classes have

*Mr. Goschen*

been exempt from contributing. I do consider from every point of view that a reduction of the Income Tax from 8d., at which it stood in time of peace, to 6d. was imperatively demanded at the hands of this House. But then the right hon. Gentleman says that there are four millions which we have given to the benefit of real property. I thought the right hon. Gentleman the other day, in the discussion upon the Small Holdings Bill, and particularly upon the question of the rates being divided between the owner and the occupier, spoke of the rate being imposed upon the farmer. But if the rates are paid by realty, what is the advantage of dividing them between owner and occupier? Those who speak of those rates going for the relief of the landlord seem to hold that the occupiers do not pay the rates at all; but a vast number pay the entire rate. I invite any hon. Member to meet occupiers in London, Liverpool, or Glasgow and say to them—"Gentlemen, you are entirely mistaken in thinking you have any interest in rates. You have no interest in paying rates. They are paid by realty—by the owners of property." Is there any hon. Member in this House who really believes that the four millions which have been given in relief of rates have really gone to the owners of property? No!

SIR W. HARCOURT: Will the right hon. Gentleman excuse me? I want to ask him, did he say that the rates have no effect upon the Revenue?

\*MR. GOSCHEN: The right hon. Gentleman took the whole of the four millions as going to the relief of the owners.

SIR W. HARCOURT: I said I would not dispute as to the particular figures.

\*MR. GOSCHEN: The right hon. Gentleman, however, took the four millions as the relief of realty. I can assure him there are thousands and thousands of occupiers in our great cities who do pay the rates themselves, and who have felt an increase in the rates when it has been imposed, and who have felt a decrease in those rates when it has taken place, and everyone who is acquainted with the subject will admit this to be the case. But now I want to put another point in

regard to this relief of real property. I say that by the relief which we have given to local taxation, which has been given to occupiers as well as to owners, and in the main has been enjoyed by the occupiers and has not been enjoyed by the owners—we have assisted municipal finance to such an extent that now the Local Authorities are able to undertake much excellent social legislation with which, otherwise, they would have been quite incompetent to deal. Where would the London County Council be if we had not assisted them by the increased means which have been placed at their command for the relief of the local taxation when they lost the £500,000 in respect of the Coal Duties? Do the London County Council, when they receive this money, think it has gone simply for the relief of the owners? No, they know it is at their disposal; they know they have more money to spend upon open spaces, recreation grounds, sanitary measures, free libraries, and the like—all that is much more possible now than it could possibly be before, when the rating difficulty stood in the way of every possible reform, municipal or otherwise. I frankly say I consider we are forwarding the social movement, and that we have largely assisted to develop Municipal and County Government by sums we have thought it right to place at the disposal of the Local Authorities. So much as regards that part of the right hon. Gentleman's speech which contrasted what we have done for one class with that which we have done for another. The right hon. Gentleman made a further omission. In speaking of what we had done for the working classes, he did not include the gift of free education which we have been able to place at their disposal. I think the right hon. Gentleman would admit—

SIR W. HARCOURT: I did.

\*MR. GOSCHEN: But the right hon. Gentleman did not at the end of his speech, when he made his summary, add the two and a-half millions for free education to the two and a-half millions which we have remitted in the way of indirect taxation. I think we may contend that the working man has been as much benefited by being relieved of the threepence or sixpence

per week which he had to pay for his children's education, as he is by taking off a further portion of the Tea Duty. It has precisely the same effect in assisting him. I turn now to the staple argument which is used on these occasions—the argument as to tampering, as it is called, with the Sinking Fund. The right hon. Gentleman's argument in this respect was sometimes rather strange. He spoke of the prosperity which has been fortunately developed during the last three years, and then said that during such a period of prosperity we ought not to have tampered with the Sinking Fund. The right hon. Gentleman taxes me with having robbed the Sinking Fund, and his argument that I ought not to have taken that course rested to a great extent upon the development of the prosperity of the country since I have taken that course. I think the right hon. Gentleman will not deny the justice of that statement, although, perhaps, he may think I ought to have restored the Sinking Fund. I do not, however, know whether that is a point of his argument. Well, now, I suggest a new item to the programme of the right hon. Gentleman, who spoke of this as a permanent robbery of the Sinking Fund. Why permanent? The right hon. Gentleman possibly may occupy the position not very long hence which I have the honour to occupy at the present moment. Why, then, should the suspension of the Sinking Fund be permanent? Why should he not restore the three millions to the Sinking Fund? I can tell him how he can do it. Let him take away the three millions which have been given to the owners of real estate; let him take back that which we charges me with having given to the Local Authorities, and devote it to restoring the Sinking Fund of Sir Stafford Northcote. I offer him a very enticing item to be added to the Newcastle Programme—withdraw the three millions from the money given to the wealthy and the Local Authorities and restore the amount to the Sinking Fund. The curious thing is that while I have been denounced from many a platform for having withdrawn the three millions, and with having given too much to the Local Authorities, I

have never seen a single Member who has proposed to diminish by one sovereign the amount which has been placed at the disposal of the Local Authorities. Nor have I seen the slightest disposition to increase the amount of the Sinking Fund should the right hon. Gentleman accede to power. The right hon. Gentleman early in his speech said I had managed to collect all the worst precedents that had been set and press them into my service, and he must observe some kind of reticence in speaking of them. Fortunately I need observe no such reticence. I do not disapprove of the precedents which were wisely set in many cases, and I do not see why I should not state them to the House. The right hon. Gentleman has always denounced me for innovation in finance, but I have generally been able to find a precedent set by very high authority for anything I have done. There are three charges that he made against me—one is that I have tampered with the Sinking Fund, another is that when the Conversion was successful I did not leave the whole amount of the interest saved to the benefit of the Sinking Fund, and the third is that in years of prosperity we have borrowed money and spread the repayment of it as a burden which will fall upon our successors. The right hon. Gentleman knows full well that there are precedents for every one of those courses. The right hon. Gentleman said that the suspension of the Sinking Fund in 1885-6 and 1886-7 was due to the Soudan Expedition, the Afghan business, and other matters. That is true as regards 1885-6, but was it true as regards 1886-7, when my stern critic was presiding temporarily at the Exchequer? The right hon. Gentleman nods his head, but I have read the speech he made on that occasion, and I think he has not lately referred to it. He said the expenditure had become normal. He did not suggest that the Estimates were high in 1886-7, and that they would come down, and that, therefore, he would suspend the Sinking Fund. He could not think of what tax he would impose; he was helpless. He had a deficit of over £500,000, and he did not think of putting an additional tax on cham-



pagne, or of increasing the Death Duties, or any of those other taxes for which I have been denounced. The right hon. Gentleman simply said—"I do not know whom I must tax, and so I must suspend the Sinking Fund!" This is the right hon. Gentleman who has been lecturing me for three years for tampering with the Sinking Fund. I will not do him an injustice. Here are his own words. The right hon. Gentleman said that the Estimates would not go down, and he was afraid he could not hold out any hopes of a reduction. He found a deficit of £543,000, "not," he said—

"Not a very satisfactory result in a time of peace, with the Income Tax at 8d. in the pound."

The increase of expenditure was

"Principally to be accounted for by the large expenditure upon Naval and Military Services, an expenditure which the Committee, I fear, must now look upon as normal. . . The interesting question is, How is this deficit to be met? In ordinary times no doubt it would be met by an increase of taxation, but I know no class and no trade at the present time which is in a condition to bear additional taxation. As to indirect taxation, I do not look at it with any sanguine hope."

Why did not the right hon. Gentleman put on some of those taxes which I ventured to impose afterwards? He had the same advisers at the Treasury as I had, but he could not find £500,000, and, therefore, he suspends two little Sinking Funds, and he poses before the country now as a great defender of the principle of the Sinking Fund. In the same speech the right hon. Gentleman said—

"If we cannot meet this deficit by increased taxation, we can only meet it by some reduction from the sum now appropriated to the reduction of the Debt."

The right hon. Gentleman admitted that the Naval and Military Expenditure was normal, and that there was nothing special in the year except that he could not find taxation, and he made the remarkable admission that

"Sir Stafford Northcote distinctly contemplated the application of the Sinking Fund to such a purpose as this."

That is to meet the normal expenditure of the year, when the right hon. Gentleman did not know how to find means of increasing the taxation. Well, the

speech of the right hon. Gentleman to-day has been characterised by one omission, which I note for the first time upon this occasion. The right hon. Gentleman has not this year quoted the *Economist*. That is a remarkable fact. When he has to make a speech he generally fills his pockets with extracts from that paper. Now, just for once I will quote a passage from the *Economist*. I think it is my turn. Here is what that organ, which he chiefly uses for denouncing the present Chancellor of the Exchequer, says—

"An expediency Budget"—"a very tame and impotent Budget."—"Sir William Harcourt finds himself driven back to the refuge of shiftless financiers, a partial suspension of the Sinking Fund. In mitigation of his shortcomings, however, he pleads he is not going to sin so much as his two immediate predecessors. They laid hands upon nearly five and a half millions of the Sinking Fund, whereas he proposes to appropriate only £800,000." He should "think the Income Tax question over again," and "although it may be beyond the present ability of Sir William Harcourt to arrange for the just incidence of taxation, even he, if he remains long in his present office, may gain sufficient financial grasp and experience to grapple with the question."

Now, the Committee will see that the *Economist* is impartial in its observations. I confess that when I entered upon office I was not under the awful impression which the right hon. Gentlemen felt as to the sanctity of the Sinking Fund, because in two years running that Sinking Fund had been suspended, one year being a year of normal expenditure. Now, my first crime—the crime for which I have always been attacked—was that I reduced a portion of the fixed charge in 1887-88. The next charge is that I have allowed the whole amount saved by the Conversion scheme to go, not to the Sinking Fund, but in relief of taxation. But here again I have got the latest precedent in the attempted Conversion of the right hon. Gentleman the Member for South Edinburgh. (Mr. Childers). In that attempted Conversion it was arranged that the chief amount should go to the relief of the taxpayer, and not into the Sinking Fund. The right hon. Gentleman may say he does not care for precedents, but they are very important when the public are going to decide between two rival parties, and I should like to know how hon. Members opposite can denounce

me for taking a course which a few years ago had the authority of the right hon. Gentleman the Member for Midlothian (Mr. W. E. Gladstone) and other right hon. Gentlemen opposite. Now, what is the third charge? The third charge is that we spread expenditure over a certain number of years. I noted the observation of the right hon. Gentleman with reference to the amount expended upon the Army and Navy in the first years after we came into Office. If you take guns and ships together, the right hon. Gentleman will see there was scarcely any diminution in the Estimates at all. In those earlier years we had to make up immensely as regards guns and ammunition, because, as perhaps the right hon. Gentleman will remember, he did not attach the same importance to having guns ready for ships, and ships ready for guns, as an ordinary Chancellor of the Exchequer might be expected to do. Our predecessors had fallen very much behind, and in one year we were obliged to ask for £1,700,000 for naval guns and ammunition. Now, I frankly admit that in the year 1889-90—not merely from the point of view of the Admiralty, but from that of the Government as a whole—we took stock of our position politically and navally; we looked at the whole situation, and we came to the conclusion that it was absolutely necessary in the interest of the country to make a special effort for increasing the Navy. This is a point which hon. Members and right hon. Gentlemen may challenge occasionally in speeches on the platform, but they have never yet ventured to ask for a straight vote on the question as to whether this further expenditure for the Navy was required. They denounce bloated naval estimates and expenditure as a whole, but they will not go before any popular constituency—or few of them will—and say that the additional sum spent upon the Navy was not money that was well and wisely spent, and for which, as I believe, we have a satisfactory return in the greater security of the country. Well, then, I admit we made a special effort in 1889-90, and here the right hon. Gentleman says we commenced borrowing, but he has forgotten that simultaneously with that slight borrowing we imposed

increased burdens upon the people. I may say in regard to this naval programme that the amount of borrowing has been grossly exaggerated from the first, and no one is more responsible for what my right hon. Friend opposite calls the confusion of this matter than the right hon. Gentleman the Member for Bradford (Mr. Shaw Lefevre). He wanted to clear something up, but the manner in which he set about it created half of the confusion. The right hon. Gentleman pressed for a Return and insisted upon it.

MR. SHAW LEFEVRE (Bradford, Central): I beg to say that the Treasury were consulted as to the form of that Report, and gave their consent to it.

\*MR. GOSCHEN: Yes, but not as to what the right hon. Gentleman wanted. We gave the Report because he insisted upon it.

MR. SHAW LEFEVRE: I consulted the Treasury as regards the form.

\*MR. GOSCHEN: Yes, but it is not only the form. The right hon. Gentleman created the confusion because he wanted to know—and he always does want to know—in advance certain things which cannot be prophesied at all. The right hon. Gentleman always wants us to say in advance how much in the year we are going to borrow. And now I will come to the point of the right hon. Member for Derby (Sir W. Harcourt). He said: "Look how mistaken you have been in the amounts you expected to borrow. How much better it would have been if you had proceeded under the old system." Now I want to examine these two systems—the old system and what is called the new system. The right hon. Gentleman cannot blame the Government—though he has large capacities for doing so for anything that may happen—if contractors, owing to difficulties, strikes or other obstacles, are unable to deliver their ships as fast as they hoped to do. I think the right hon. Gentleman will admit that the Government cannot be blamed for that. If under these circumstances the Government are uncertain as to the amount to be paid to contractors, what is the wiser and more business-like plan? To put a tax for the maximum amount upon the people when it is possible only half of the extra amount may be wanted, or to

borrow a portion of the amount according as the contractors require it, and thus avoid the inconvenience of putting on a tax for money that may not be wanted at all? In 1890-91 we expected to borrow—I admit it freely—some two millions more than we actually did borrow. What would have been done under the old system? We should have provided two millions more by taxation, which would have been extremely inconvenient to trade and in other respects, and at the end of the year it would have been found that it could not be devoted to the purposes which Parliament intended. It would have gone into the old Sinking Fund, and the money would have been re-voted the next year contrary to the intentions of Parliament. Now, the right hon. Gentleman may say, How far will you apply that? Well, I will give a candid answer. I would apply this system only when there is great uncertainty, as there must be when large contracts are put out simultaneously. We had to deal with ten millions, and the point is this—having this ten millions under contract, would it have been wise and business-like to have raised the money unnecessarily? Hon. Members opposite may speak very heroically with regard to the subject now, but I say that under the circumstances it would have been unwise to have raised so much money by extra taxation. We did raise some. Let there be no misunderstanding on that point. We raised two millions extra by taxation, and that was more than we wanted, and we carried a portion over to the next year. I am sorry I have to defend the Naval Defence Act again, but as the right hon. Gentleman opposite has again attacked it, I think I should speak upon the subject. The second point I will make on it is this :—All of us who have been at the Admiralty have found that if you vote more money for construction than you are able to use, the result is a great temptation on the part of the Admiralty to devote a portion of it to repairs and other purposes for which Parliament has not originally sanctioned the Vote. Now, the Naval Defence Act keeps the Admiralty under the strictest possible control. They do not always like it, I admit, and there have

been murmurs sometimes to the effect that they are tied too tight. But the result is that we have turned out ships faster than ever before. The guns have been ready for the ships, and we have been able to keep to our programme in a manner that was never done under the old system. I frankly say, notwithstanding the hostile comments that have been made about it, that that Act has enabled us to strengthen the Navy and insure the money being spent as Parliament intended, and it has saved most inconvenient financial results owing to the uncertainty as to delivering ships by contractors. It was for administrative as well as financial purposes that we framed this Act. Now I come to the point as to what burden we have put upon our successors through these operations. Well, the right hon. Gentleman made an admission of which I took notice. The right hon. Gentleman did not object, as I understand, to the steps we have taken as regards barracks.

SIR W. HARCOURT: More defensible.

\*MR. GOSCHEN: It is quite as defensible as when the Military Forces Localisation Act was passed by the right hon. Member for Midlothian (Mr. W. E. Gladstone) and his colleagues. The parallel is exact. At that time there were surpluses too, but I do not see that the right hon. Gentleman deducted the amount which he borrowed for the purpose of that Act from the surplus which he had at the end of the year, nor do I see that when any money was borrowed under the earlier Fortifications Act it was considered to affect the surplus of the year. The right hon. Gentleman the Member for Derby (Sir W. Harcourt) is a person who introduces new nomenclature with regard to surpluses, and also I think some new principles. I wonder what the right hon. Member for Midlothian thought when he heard the right hon. Member for Derby deprecating surpluses, and considering that they were on the whole rather to the discredit of the Chancellor of the Exchequer than to his credit, because they showed he had miscalculated his Revenue. My recollection is that at many an election time the surpluses of the Gladstonian Chancellor of the

Exchequer have been placarded in very large letters and treated as redounding—as I believe they did—to his financial ability and caution. I am sure the right hon. Gentleman shocked the Leader of the Opposition when he made these observations with regard to surpluses. The hon. Member for Poplar (Mr. Sydney Buxton)—who had a kind of preliminary canter before the right hon. Gentleman spoke—seemed to think that it was extremely easy to make an exact estimate for the year as to Revenue and Expenditure, and he appeared to think that someone is to be blamed if it did not turn out absolutely correct. When he has had, further, that experience to which I presume, from his speech and the position he has occupied in this Debate, he looks forward, he will find that to estimate to between one and two per cent., either upwards or downwards, is not the easy automatic affair which he seems to think. He put a question to me, which was also put by the right hon. Gentleman (Sir W. Harcourt) in very proper terms, as to whether I have introduced any innovation—and I think he rather wished me to disclaim the idea—making myself more than formerly responsible for the Estimates on this occasion than it was usual for a Chancellor of the Exchequer to do. I disclaim the intention entirely. I do not intend to make myself more responsible than Chancellors of the Exchequer usually are, and I may say that I used these terms when speaking of the amount which I put down to Income Tax; “I am advised,” and speaking of the services of Sir Algernon West I said—

“He who has had the chief responsibility in preparing the Estimates.”

I have acknowledged that general principle, but I am bound to say that the public does hold a Chancellor of the Exchequer more or less responsible for the correctness of the Estimates. I know it has been charged against me that I have habitually under-estimated my Revenue. But any Chancellor of the Exchequer who follows the advice of those who are responsible to him will only err in that matter within narrow limits. He exercises his judgment within narrow limits after most close conference and most

intimate communication with his chief advisers. But I will say this—and I think I may remind the Committee of the fact—that whenever the Estimates have been extremely close and come up exactly as we anticipated, I have invariably endeavoured to give the credit to the permanent officers. But if it should be the other way—if there should be an over-estimate, or if there is a deficit, I should not like to come here and say that the fault rests with my responsible advisers. I will make a frank admission. Seeing that this year was a peculiar year, inasmuch that I thought we might be on the top of that curve of prosperity to which I have alluded, I thought it my duty to give more than usual care to a personal examination of the Estimates, and to the calculations and communications I have received from my advisers. I hold that I could not acquit myself of the responsibility for those Estimates at the expense of my responsible advisers. I will frankly say, however, that there has been no difference of opinion between us, and I have endeavoured to examine all that came before me with peculiar care on the present occasion. I have been led into this discussion from the point of view of the surplus to which the right hon. Gentleman alluded, but the real point before us is the money we have borrowed. The real question is, whether we can claim a surplus when we borrow for permanent works? The right hon. Gentleman called attention to the works with respect to the barracks, but I do not think he would argue that what we borrowed for the barracks ought to be deducted from the surplus for the year. The chief charge concentrates on the Naval Defence Act, and, as I stated, we have under it spent fourteen millions and borrowed two millions up to the present time. We shall borrow another two millions in the coming year, and we shall then have reached the limit of borrowing, and we shall pay off what we have borrowed in two years. That is to say, this year and two years afterwards.

SIR W. HARCOURT: In seven years from 1889.

\*MR. GOSCHEN: I mean this year and two years afterwards. And now what is it that Dives be-

*Mr. Goschen*



queaths to Lazarus? We bequeath to him two annuities, but the right hon. Gentleman will not have to suspend the Sinking Fund—if he should be in office—in order to find money to pay these annuities, because we have imposed the taxes by which those annuities will be paid, and no fresh burden will be put upon the taxpayers in those two years unless it is put on by increased naval expenditure at the instance of our successors. That is the position as regards the Naval Defence Act; and I ask the Committee, bearing in mind what I have said, which is the best for your successors, to leave unfinished ships which they are obliged to finish at a large cost, or to have finished ships with only a portion of the burden transferred to your successors? I can see an analogy in the case of two men, each of whom wishes to repair his house. One man says, "The house has rather got out of repair; I will put it right, and borrow the money and spread it over three years." The other man says, "I will not repair the house at all; I will wait the three years, and let my successor bear all the cost of the repairs." When right hon. Gentlemen opposite went out of Office in 1886 they left six millions due on unfinished ships, which we had to find. Was not that a liability just as distinct as the Naval Annuities which will still have to be paid? I contend that an unfinished ship or a contract entered into is as much a liability as if you had borrowed the money with which to pay for that ship. In both these cases you have a creditor. He may be the contractor, and he may be the person from whom you have borrowed the money; but in either case you have a creditor. Under the Naval Defence Act the burden is extremely small. It will be quickly passed over, and we have provided the means. As regards the Imperial Defence Act, the money will not have to be found by Lazarus out of fresh taxation, but by the windfall of the Suez Canal; so again, I may say whether it is right or whether it is wrong, our successors will not have to find the money. There remains the balance of three millions under the Barracks Act, and that is the only serious item which can be charged against us under these Defence

Acts. I admit there is some complication in the accounts, but that must be so; but is it not better that it should be a little more difficult to examine the accounts than that we should leave the Naval programme unfinished or have any of the other disadvantages which I have pointed out? I admit that the system is somewhat complicated, but I say that the advantages have not been too dearly bought. The right hon. Gentleman opposite (Sir W. Harcourt) has developed into an extremely polemical statistician, but in the pursuit of his statistical studies I would ask him not entirely to forget the considerations that a statesman ought to weigh. If we make any changes he looks more at the difficulty in being able to follow the statistics than at the real advantages or disadvantages which may accrue. I do not apply that to the Sinking Fund, which is really a matter of importance; and though I have been very severely blamed, I do not say there are not some advantages in the discussion that has taken place, and in the manner in which the Party opposite have pledged themselves to the maintenance of a permanent Sinking Fund. But while I admit the advantage of that criticism, I must say that it scarcely comes well from one who suspended the Sinking Fund at a time of normal expenditure. Still, I think it is fair criticism, and what I ought to have expected. I have attempted to deal with most of the charges which were brought against me. I have dealt with the question of having tampered with the Sinking Fund, and I think I have made it clear that in other matters there has been great exaggeration. With regard to our naval expenditure, the right hon. Gentleman has said that the rolling stock is always paid out of Revenue by the Railway Companies. I do not think that is quite so, and if a Railway Company incurs a very heavy expense in rolling stock in one year, the account is spread over three or four years. I have not added to capital account, but have only endeavoured to spread expenditure over a few years. The right hon. Gentleman asked me at the close of his speech, in regard to the appropriations in aid, whether our proposal was tanta-

mount to postponing payment, and whether it was possible, without trenching on future years, to increase this year's Revenue by £200,000? This does not expose what has been done. The £200,000 in question belongs to the last quarter of the previous year, and was in the hands of the Paymaster General to be paid into the Exchequer on the 1st April. We thus have five quarters, but we do not trench upon the Revenue of the future year. We got the arrears, but we do not touch the future. I have now endeavoured to cover the whole ground. I believe I was right at the time when the Income Tax stood at 8d. to put it at 6d. I believe that if we had maintained the Sinking Fund at its old figure it would have been more in jeopardy than it is at present. Then as regards relief, I say that we have equitably distributed that relief to the best of our ability amongst all classes. We have not given so much to the wealthy as we have to the middle, the lower middle, and the working classes. I have over and over been censured by the Income Tax payers on the ground that we have done too little for the middle classes and that we have done everything for the working classes, but I believe that complaint is very unjustifiable. We have endeavoured, to the best of our ability during the past five years, to distribute those advantages flowing from prosperity so as to assist all classes of the community alike and give them all an interest in the increasing prosperity of the country. The remark has been made that I have boasted of my surpluses. I have never boasted of those surpluses. I do not deny that we have been favoured by fortune, and I trust that I, or anybody else, who occupies this position next year may, notwithstanding some of the more gloomy symptoms to which allusion has been made, may still find that the Revenue will enable us to meet our great and increasing expenditure, which I have often endeavoured to reduce. I am bound to say that in those attempts at reduction I have never met with much assistance from the leaders who sit on the opposite side of the House, and we are now taxed, when General Election draws near,

*Mr. Goschen*

with having increased our expenditure. But I must say that no Chancellor of the Exchequer has ever received less support in his endeavour to reduce Expenditure than I have from my political opponents, when the House has wished to take matters too quickly into its own hands. The right hon. Gentleman was frequently not in the House when Motions in favour of increasing expenditure in certain directions came on.

SIR W. HARCOURT: Free education.

\*MR. GOSCHEN: In free education we were pressed to extend the expenditure in every direction, but that was not supporting the Chancellor of the Exchequer. Looking over the five years as a whole, I believe our expenditure has been wise, and of all the expenditure I have incurred there is none I regret less than the expenditure on the defensive Forces of the country, and the expenditure by which we have endeavoured to assist the Municipalities in carrying out the great and expanding work which is confided to them.

\*(8.11.) MR. MONTAGU (Tower Hamlets, Whitechapel): I do not propose to enter into the general discussion of the Budget, but I regret that the Chancellor of the Exchequer has not proposed to regulate certain Stamp Duties with the object of making them less burdensome and more productive. I refer specially to the Stamp Duties on foreign bonds and bills of exchange. I think that a Chancellor of the Exchequer who has had great commercial experience and long training in the City of London should, even in what is presumed to be the last Session of Parliament, endeavour to reform our system of Stamp Duties. Besides, these matters have been brought under his notice in this House and in the Standing Committee to which his Stamp Consolidation Bill was referred last Session. It is, in my opinion, very necessary that these Duties should be imposed with due regard to what obtains in other great commercial centres, so as to prevent the diversion of trade to other countries. The merchant traders and bankers who transact business with foreign countries greatly promote the prosperity of this country. Now,

what has the Chancellor of the Exchequer done to preserve the trade and promote the success of the merchants and bankers? The guiding principle ought to be that the Stamp Duties levied here should not advantage our foreign competitors at our expense. Laws affecting international securities, bills of exchange, systems of currency, weights and measures, should be as good—certainly not worse, in this country as those of our neighbours. If it is advantageous to have International Conventions with regard to postal and telegraphic arrangements, why not also assimilate our regulations as to stamps, &c., with those of other great Powers. Now, what are the Stamp Duties in competing countries as compared with ours? In France  $1\frac{1}{2}$  per mille, or 3s. per £100; Germany, 2 per mille, or 4s. per £100; Holland and Belgium, 1 per mille, or 2s. per £100. Here it is 10s. per £100. The Chancellor of the Exchequer has increased our difficulties by the imposition of a novel duty commonly called the Goschen Stamp—an adhesive stamp, bothering everybody because it must be affixed year by year; an annual plague and nuisance. Paris and Berlin are taking the lead over London in financial operations, mainly owing to their reasonable and our unreasonable Stamp Duties. I learn from the best authority that it was recently proposed to issue here a Norwegian Loan, but the negotiations fell through on account of our Stamp Duty, and the loan has been taken in Germany. The Chancellor of the Exchequer kills by excessive stamping the goose which lays the golden eggs. He does not shut out impecunious States from issuing loans here. I have heard of no Argentine complaints of our excessive Stamp Duty, but first-class States prefer other markets. Trade follows in the wake of loans. Besides it is very difficult to know what securities should bear this irritating Stamp Duty. If anybody receives direct from abroad foreign bonds as a purchase or security for an advance he need not stamp them. When the advance is paid off and he is ordered to deliver them for safe custody to the foreigners' agent against a mere receipt he need not stamp them; but if the

foreigner asks for an advance from his agent or from the former lender, must the bonds be stamped or must they be sent abroad and again sent here to avoid stamping? Our great Colonies do not yet understand the complex system of Stamp Duties. At the beginning of the year New South Wales and Victoria each issued a loan for about a million sterling in the shape of Treasury bills or bonds. They were similar in tenour and wording, except for one word. New South Wales printed "Treasury Bill," and put on a 1s. per cent. Bill Stamp; Victoria for the same security and length of loan printed "bond," and puts on every £100 a 2s. 6d. impressed stamp, a 1s. per cent. affixed Goschen stamp for 1892, and the holder must affix another if he sells in 1893. So New South Wales pays £500 for its loan, while Victoria has to pay £2,250 on a loan of the same amount. It cannot be right that one word should make all this difference. The revenue from the new stamp was estimated, I think, at £200,000; in 1890 it produced £94,600, and in 1891, £73,000, and I believe that the bankers and merchants lose many times that sum by the diversion of trade by the Stamp Duty. If any particular source of revenue shows signs of a decline investigation is necessary in order to show whether the duty imposed is wisely imposed. The revenue from stamps on bills of exchange and promissory notes has been declining for the last seventeen or eighteen years; it has declined almost a quarter of a million. The revenue from the penny receipt stamp has increased. It is difficult to analyse that source of revenue, but certainly increase of productiveness from light duty is an argument in my favour. It is difficult to give the precise reason for a diminished number of bills in circulation in face of increased population and trade. The chief causes must be that floating capital has increased in effectiveness through the development of banking facilities, and that competition has reduced profits and enforced economy in the use of stamp by inducing the substitution of cash payments. There is a continuous tendency to substitute demand drafts or cheques for short-dated bills and ad-

vances for long-dated ones. Most countries have followed our example in imposing this tax on trade—the exceptions are the United States, Canada, Norway, and some parts of Switzerland. It may be said that commerce is safer if based on cash payments, but there are certain disadvantages in connection with demand drafts drawn upon this country; they are sometimes presented a day before the letter of advice reaches its destination, and are occasionally dishonoured. Another disadvantage is that these letters containing drafts are sometimes stolen and then cashed before the owner can stop them. In Austria and Holland bills within eight days' date are exempt from any duty. I propose that bill stamps should be reduced to 6d. per £100. If that does not meet the approval of the Chancellor of the Exchequer I would suggest that the experiment should be tried with short-dated bills not exceeding one month. This reduction would increase the number of short-dated bills which can be more safely transmitted by post than drafts, a month giving ample time to stop them. If that proved satisfactory the duty on all bills might be reduced to 6d. per £100 with profit to the Exchequer and benefit to trade. The number of bills could also be increased about four per cent. by abolishing the three days' grace, which equals 54 per cent. on seventy-five days, about the average length of bills. The increased use of bills would be promoted by bringing our laws into international accord by abolishing the three days' grace, and making bills due on a holiday payable the next day. I also propose that the stamp on bills drawn and payable outside the United Kingdom and negotiated in this country should be reduced to 6d. per £100. At present numbers of these bills are diverted from this country to the Continent to avoid our Stamp Duty, which is higher than elsewhere. In Germany there is no such duty; in Holland they charge 1d. for any amount; in Belgium and France 6d. per £100; here it is 1s. I feel perfectly certain that if these duties were reduced they would produce a larger income, and would restore trade which is being constantly taken from this country. I say the 1s. per

cent. transfer, or Goschen, stamp should be abolished in the interests of trade; stamps on foreign bonds should be reduced to 5s.; bill stamps should be reduced to 6d.; at any rate, for those for one month, or less. I have the opinion of the Bank of England and a great discount company that these short-dated bills have almost entirely disappeared, and do not now form one per cent. of the total number. I do not know if the right hon. Gentleman is aware that circular notes are being issued payable on demand to avoid the *ad valorem* Stamp Duty. The Chancellor of the Exchequer asked me if I could suggest some other Stamp Duty in substitution for the 1s. stamp on bonds. I would suggest that we should imitate our French neighbours and impose a Stamp Duty on bill posters. The duty in France is, according to size, from 6c. to 24c.; but those issued for political purposes bear no stamp. In 1890 this duty produced about £115,000, and in 1891 nearly £120,000; they also levy a duty on painted notices, bringing in an addition of about £13,000 per annum. I should think that amount would be exceeded in this country, and I notice that land is often kept unlet because the letting of the hoarding for advertising purposes brings in more than the land would do. It would be well, also, if the Government had some control over these posters. I can assure the Chancellor of the Exchequer that his reputation, which has suffered in the City, would be greatly restored if he got rid of those irritating Stamp Duties, and took measures to restore the trade which they have driven away.

(8.58.) MR. BIGWOOD (Middlesex, Brentford): Most of us who had the satisfaction of hearing the Budget speech must have been very favourably impressed with the announcement of the right hon. Gentleman that he would endeavour, as far as in him lay, to distribute taxation in the most equal manner. I do not wish to take up the time of the Committee unduly, but I think, without going very far afield to find a case of unjust taxation, I can come near home, and, in the County of Middlesex, find a state of things which is astonishing, and which, I believe, could not have been



contemplated when the Local Government Act came into operation. The position is this—that the County of Middlesex is at the present moment paying an undue sum for the number of policemen that are allotted to it. It has been urged, and, I believe, truly urged, that there is no necessity in Middlesex for the large number of policemen that are there—and they are there for the benefit of Londoners, to attend to race meetings, meetings in Trafalgar Square, and gatherings of various kinds and sorts. I have been to some trouble to collect figures relating to this matter, but, perhaps, before I go into them, I had better say that the manner in which those policemen are paid for at the present moment is by a universal 5d. rate in all parishes. I find there is a provision in the 24th Clause of the Local Government Act relating to the substitution of local grants, which says—

“The Council of each county shall from time to time as from the said day pay out of the county fund and charge to the Exchequer Contribution Account the following sums.”

That is my position as regards the Treasury. This is a question which has not just recently cropped up. It has been taken before those gentlemen who in this House represent the Local Government Board without any effect. We have been shuttle-cocked, so to speak, from the Home Secretary, who in his turn recommended us to go to the Treasury. In going to the Treasury last year I think I established my case to the Financial Secretary's satisfaction, for he assured me that I had a good case, but that the Treasury had no funds. Very shortly after that, by questions I raised in the House, I think I may take credit for having put the Treasury in a position of funds by pointing out the leakage of Revenue in the operation of “grogging.” But the fund so put into the hands of the Treasury seems not to have been applicable to this particular purpose, and I can quite understand that such a fund could not be ear-marked in any way; but on the principle that one good turn deserves another, I trust the right hon. Gentleman in charge of the Treasury Bench will deem it right and worth his while

to pay attention to my claim. With regard to the particular portion of the Act which refers to the payment to the Exchequer, it states in Sub-section K of the same clause that—

“They shall, if within their county sums are raised by rates for the purpose of the Metropolitan Police, pay to the receiver for the Metropolitan Police District in each year a sum bearing such proportion to the sum actually raised in the same year by rates from the parishes in that county for the said purpose as a Secretary of State certifies to be the proportion which would have been contributed out of the Exchequer under the arrangement in force during the financial year next before the passing of this Act.”

In Clause 27 it specifies that—

“When a County Council are required under the provisions of this or any other Act to pay any sum into Her Majesty's Exchequer, or to the Treasury, or to the receiver for the Metropolitan Police District, such sum shall be deducted from the amount payable under the provisions of this Act out of the Local Taxation Account to such County Council, and instead of being paid to the County Council shall be paid into Her Majesty's Exchequer, or to the receiver for the Metropolitan Police District, as the case requires.”

This is what happens. Last year the Treasury charged the county of Middlesex £53,519, and Middlesex does not quite see that it ought to pay that amount of money, for whether we take population or rateable value, or whether we take the acreage or inhabited houses—whichever test you take you will find that the amount of money paid by Middlesex is altogether in excess of that paid by any other county. I have taken the trouble to get some figures from twelve counties which are similarly related in population to that of Middlesex. If we take population as the test, we shall find that in Middlesex we are paying 4s. 2½d. for our policemen, against 1s. 5d. in the average counties. If we take the rateable value we shall find that we are paying 9d. against 3½d. in other counties, and if we take the acreage of the county, we find we are paying 1s. 6½d. for our policemen against 6½d. in those other twelve counties.

THE CHAIRMAN (Mr. COURTNEY, Cornwall, Bodmin): I do not understand how the hon. Gentleman is connecting this discussion with the Budget Resolution.

MR. BIGWOOD: I really want information from the Chancellor of the Exchequer as to whom I am to appeal to. I should like to hear from him whether it is a matter on which I can approach the Treasury—I have tried all the other Departments in vain—or whether I shall be under the necessity of bringing in a Bill for the purpose. I can quite understand it is not to the point; but I think, having given this amount of publicity to the case, possibly the Gentlemen on the Treasury Bench will give me an answer.

(9.7.) MR. HUNTER (Aberdeen, N.): There is only one point in the speech of the Chancellor of the Exchequer to which I wish to allude for a moment, and that is to what he said on the subject of free education. The right hon. Gentleman stated that he, at all events, was not ashamed of anything in his career as Chancellor of the Exchequer. Mr. Courtney, if it had been possible to bring a blush to the cheek of the right hon. Gentleman it would have been when he referred to the subject of free education. At the end of the year 1888, when he desired to expropriate £250,000 a year of Imperial taxes to the relief of local rates in Scotland, I remember well getting up at three o'clock in the morning, and making a present to the right hon. Gentleman of an idea. I said to him if he wished to make himself the most popular Chancellor of the Exchequer, and the most popular man in Scotland, instead of criminally wasting the money in relief of rates he would apply that money to free education. Well, Sir, on that occasion the right hon. Gentleman treated me, as I no doubt deserved, as a species of uninspired lunatic; and it would have been impossible even to make a start towards free education if on the following day I had not been able to invoke the services of the late Mr. Biggar, and with his aid the Irish Members occupied a large part of the time of this House which might have been mischievously employed in forwarding the business of the Government, till at last—sweet are the uses of obstruction—the right hon. Gentleman was obliged to take his first step towards free education. As we all know, and as was admitted by the First

Lord of the Admiralty, the Government had no love for free education. It was, as he graphically put it, extorted from them by the Scotch Members at the point of the bayonet. But my object in referring to that at the present moment is not to go back upon by-gones, but to point out that the right hon. Gentleman, when he did make up his mind to give free education to the working men of England, chose a mode of doing so which was least favourable to them, and most onerous to them, and most injurious. If the right hon. Gentleman had desired really to confer a boon upon the working men he would have employed his two millions not in relief of fees, but in reducing the Tea Duties, or even the Tobacco Duties. If he had employed that money in reducing the Tea Duties, he would have conferred a benefit which would have been equally, or almost equally, distributed over all classes of the community, the larger share of which would undoubtedly have fallen to the most numerous class. In order to give distinctness to this conception, I may point out that the sum of money which the Government applied to free education—nearly two millions—would, if it had been applied in the reduction of the Tea Duties, have resulted in a benefit to every family of 6s. 8d. a year.

THE CHAIRMAN: Order, order! This criticism is not pertinent to the Resolution now before the House.

MR. HUNTER: I was only perhaps going a little wide in order to lay the foundation. The policy of the right hon. Gentleman throughout his whole career has been to reduce the taxation of the rich, and especially on property, and not to diminish the exorbitant burdens on the working classes. Our whole system of Imperial finance is ingeniously arranged in such a way that the richer the man the less the percentage of taxation he is called upon to pay, our whole system of taxation being perfectly graduated. A millionaire is not taxed three per cent. of his income; but the poor man, with an income of £50 a year, is taxed nearer thirty per cent. upon his taxable income. The right hon. Gentleman has said that that portion of the community for whom he had had the most genuine com-

passion were those who had not less than £150 a year; but five-sixths of the population have less than that amount. For the idle rich he has compassion, but for the working man he has no mercy. The right hon. Gentleman's maxim is, "To him that hath shall be given, but from him that hath not shall be taken away the little that he hath."

\*(9.13.) MR. LENG (Dundee): I was very much surprised that the hon. Member for Whitechapel (Mr. Montagu) threw out a suggestion, which was quite contrary to the principle laid down in the early part of his speech, to put a tax upon bill-posters. He forgot that that would, to a large extent, affect a great number in the printing trade, as well as a considerable number of bill-posters. But I did not rise so much to allude to that as to acknowledge the concession made by the Chancellor of the Exchequer with regard to the fees on the renewal of patents. That concession, although somewhat tardily and reluctantly made, is an important one. Under the new scale the fees will be largely reduced during the earlier years of the patent, more especially from the fifth to the tenth year, and on a very simple and ingenious scale which can be easily understood by patentees. The charge for the fifth year will be £5, and for the sixth year £6, increasing £1 a year until the fourteenth year, the last year of the patent. The total charge will now be £99, as against £154 previously, the great benefit being the reduction in the earlier years. I believe that the augmented number of patents which will be taken out will in the next two or three years more than compensate for the reduction in the fees. I would suggest, however, to the right hon. Gentleman the expediency of making a proportional reduction in the fines now imposed upon those who require a slight extension of time for the payment of their renewal fees, so as to make the fines correspond with the new scale of fees. At present the cost for one month's extension is £3, two months £7, and three months—the utmost limit—£10. These fines were rigorous enough when the fees were £10, £15, or £20, but they would

obviously be out of proportion to the reduced scale of fees. The existing fines were about one-third of the renewal fees, and in the same proportion, under the new scale, the fine for one month's delay in payment should not exceed £1, two months £3, and three months £5. Here, again, such an increase in the number of payments is likely to occur as will fully make up for the reduction in the amount of fines. I will not trouble the Committee with figures showing the remarkable increases both in the number and amount of the fines since 1884, which support this contention. The reduction of the fines follows so naturally on the reduction of the fees that I feel assured the Treasury will not hesitate to sanction the smaller as they have now sanctioned the greater change. There should be the less hesitation to deal in a liberal spirit with the whole of our patent system since it may soon come to be seriously affected by a proposal which has been made in the American Congress. General Bearden, himself an inventor, who declared he had suffered greatly from the defects of the Patent Laws in this country and in America, has brought in a Bill applying the principle of reciprocity to patents, so that British patentees may only obtain patents in the United States at the low charge of £7 for fourteen years, if American citizens can obtain patents at the same rate in this country. General Bearden wishes to enforce on this and other European countries the advantages of the American patent system, which, if they are wise, they will adopt without such compulsion. I wish also to say a few words on another subject. The Chancellor of the Exchequer has been lately refusing his assent to useful expenditure, such as an increase of grants to our scientific colleges, on the plea of want of money. I would point out a way by which, without adding a penny to the taxation of the country, the right hon. Gentleman might safely have estimated on a surplus of from a quarter to half a million. I refer to the drawback allowance of 2d. per gallon on all British spirits exported from this country. This allowance, the right hon. Gentleman stated, amounts to £363,000 a year.

or nearly £1,000 a day. I fail, from an examination of the Revenue Returns, to see how that sum is made up, and it evidently includes more than the item to which I have referred. I submit that there is no justification whatever for paying this 2d. per gallon out of Imperial Revenue on every gallon of the large quantity of whisky and other spirits exported from this country. Not only do the distillers enjoy this bonus of 2d. per gallon on all they export, but they are further benefited to the extent of 4d. per gallon by the difference of the duty on all spirits imported as against home-manufactured spirits. The former is 10s. 10d. per gallon and the latter only 10s. 6d. There was a time when there was a reason for this excess of charge on importation, but we live in very different times. Antiquated charges of this kind should not be upheld when the occasion for them has passed away.

\*(9.28.) **MR. MORTON** (Peterborough): I agree with the hon. Gentleman who has just sat down in regard to the Patent Laws. No doubt we may congratulate ourselves that the Chancellor of the Exchequer has given way to the pressure brought to bear upon him last year on this subject. We may thank him for small mercies, but I for one will not be satisfied until the inventors of this country are treated as well as those of the United States. I gathered from the speech of the Chancellor of the Exchequer to-night that he leaves everything to his successors, and that the Tory Party are going out of power at the General Election. I have noticed that when the Chancellor of the Exchequer makes what is considered a telling speech he generally reminds his audience that he has reduced the National Debt by about one hundred millions. Possibly that may be correct, but if he has done so, he has to that extent confiscated the money of the bondholders, and he must not complain if another Government reduces rent in the same measure, because, personally, I see no distinction between the two. Perhaps the Chancellor of the Exchequer was quite right in reducing the rate of interest, although no great virtue attaches to that action. I do complain, however,

*Mr. Leng*

that the product of his proceeding in that respect has been wasted either on the Army or Navy. We propose to spend during the incoming year a little over ninety millions, and this with local grants and loans will be increased to nearly one hundred and two millions. In my opinion that amount is more than should be expended on the Government of this country, and I believe that the management of affairs would not be less efficient were the sum smaller. The hon. Member for Dundee (Mr. Leng) has remarked that the general answer to requests for grants in aid of scientific purposes is lack of money. That, I notice, is the general answer whenever money is wanted for useful objects in contrast to the treatment of the Army and Navy. The amount we are to spend on these Services during the current year is, I see, thirty-two millions. That appears to me a monstrous sum, and I am persuaded that a great proportion of it goes in the direction of useless incomes and pensions. That remark, of course, does not extend to the pay of soldiers, because I believe the time is coming when their remuneration will have to be increased. What I do protest against is salaries paid to officers and others who give no return in the form of work. There are one or two other matters I should like to refer to in order that information may be offered by the right hon. Gentleman. One of these topics is the House Duty and Property Tax. On several occasions since entering this House I have called attention to the manner of assessment; but so far I have failed to get a definite answer. The probable reply to it will be that the revenue from those sources would be reduced by an alteration of the assessment. That, however, is not a point about which I concern myself, having no objection to increasing the tax generally, if I could thereby remove an injustice. Last year the House Duty was collected on what is called the gross assessment, and the same form of assessment is observed in regard to the Property Tax. Were local and other rates collected on that basis, there would be not so much reason to complain. Parliament, it should be remembered, has declared that the gross assessment is an unfair



assessment, and has solemnly declared rateable value to be the fair value; but the Chancellor of the Exchequer still proposes, in regard to the House Duty and Property Tax, to adhere to the gross assessment. Some years ago the right hon. Gentleman told the country that he was in favour of the alteration I desire. I wish to know whether he retains that opinion, and, if so, why he has not during his term of office done something to carry the change into effect. We may be told that this would entail a re-valuation of property in the United Kingdom. But in answer to that I would point out that there is already every fifth year a re-valuation in London, and a proper valuation in all the large cities and towns. I trust, therefore, that the right hon. Gentleman who has assumed this is his last year in office will give his successor the benefit of his opinion on this matter. I also desire to allude to the Income Tax, in order to urge the adoption of a graduated system, and also in order that I may ask the right hon. Gentleman why he has not attempted to alter the incidence of this taxation. My view is that there ought to be a distinction between tax on realised property and upon income, which is naturally precarious, and, as the right hon. Gentleman has not much money to spare, I should have thought he would have turned his attention to this subject. It is said with great truth that the masses of this country are overtaxed and that it is the classes who are relieved. Now, I should like to see the right hon. Gentleman turn his attention to the Income Tax, and give the country the benefit of his views on that matter while he is in office. No doubt, when he is out of office we shall hear fine speeches from him as to what ought to be done, and we shall be reminded that he cannot carry them out because he is out of office; and, therefore, while he is Chancellor of the Exchequer, I should like to hear his views with regard to the matter I have mentioned. I remarked just now that seven or eight millions yearly are handed over to the Local Authorities as grants in aid. Speaking for myself, I may say emphatically that I do not believe in these grants. Money which comes

easily to Municipal Bodies is likely to be spent freely and without that care and consideration which would be the case if the money was raised by direct taxation from those ratepayers to whom they are responsible. But considering that these aids are given, I think the right hon. Gentleman would have organised a fairer system of taxation if he had imposed taxes on the ground values. I know it may be said that that would be a tax on the rich, especially on some Dukes and people of that class; but almost everybody admits now that there should be a tax on that kind of property, and that it is very unfair that the occupier should pay the whole of the rates. There is another matter to which I should like to draw attention. I refer to the duties on tea, coffee and cocoa, and those other articles which constitute the free breakfast table. I think the duties on these articles should be abolished, and that they should be placed on luxuries as much as possible. Now, Sir, we make a large profit out of the Post Office. I find that the income is ten and a half millions yearly, and the expenditure six and a half millions, showing a profit of four millions. It seems to me that we should not charge the people of this country any more than what the postal business costs. The State ought not to go into business for the purpose of making money. At any rate, I think there are some ways in which a portion of that four millions of profit could be better spent than on the Army and Navy. For my own part, I should like to see some part of this large profit devoted towards cheapening the Postal Service to the public. Another item to which I should like to refer is the Death Duties. I think it is generally admitted by all Governments, and by everyone who will take the trouble to look into the subject, that the manner in which the Death Duties are collected is very unfair to the people of this country. I want to see the percentage of Death Duties exactly the same on real property as on personal property. I have never heard a reason why Death Duties should be paid on personal property and not on real property, except that it has nearly always been the object of the Govern-

ment of this country to relieve the rich at the expense of the poor and middle classes. The people of this country are now taking a much keener interest in these questions than formerly, and when we have put our house in order by giving Home Rule to Ireland, Scotland, Wales, and England, and to London, we shall have time to consider and deal with these important matters.

\*MR. MURDOCH (Reading): The hon. Member for Peterborough (Mr. Morton), whom we are beginning to recognise as the Admirable Crichton of the other side, has proceeded to enlighten us to-night on the subject of finance, but I do not quite know whether we can take him seriously on the subject. The Debate has not been very lively for the last hour, but I fancied that a deeper gloom settled over the Committee when the hon. Member told us that he intended to come back after the General Election. Amongst the things he told us to-night he spoke of the confiscation that has taken place in consequence of the reduction of the National Debt. I should like to know whether the hon. Member considers that confiscation has taken place when a railway or other company which has debentures running at four or five per cent. is enabled, from its improved financial position, to offer its debenture holders the option of either being paid off or remaining at a lower rate of interest. The reduction of the interest on the National Debt was conducted on exactly similar lines. Every holder of Consols knew, or ought to have known, that the Government of the day had the power, by giving one year's notice, either to pay off the holder at par, or to make terms with him for the continuance of the loan. Her Majesty's Government exercised that power offering the holders money to remain at two and three-quarters per cent. interest for fourteen years and two and a half per cent. in future. What confiscation is there in that process? The Government, in the interests of the country, merely carried out what was for the advantage of the country. They did what the Government was bound to do,

*Mr. Morton*

and what the Government of the right hon. Gentleman the Member for Midlothian (Mr. W. E. Gladstone) attempted to do; and the reason why the scheme of the Member for South Edinburgh (Mr. Childers) was not successful was because it was too complicated and because it did not follow the proper lines. The right hon. Gentleman the Member for Derby (Sir W. Harcourt) also put forward the idea that hardship had been inflicted on the holders of Consols by this Conversion scheme; and he also put forward the idea, which I think is a fallacy, that in consequence of the reduction of the interest upon the funds the holders had been driven into securities such as Argentines and other risky securities. I must say my own experience is that the people who had held Consols did not go into the class of security to which the right hon. Gentleman has referred but invested in the Debenture and Preference Stocks of the first-class railways. I think everyone who has any banking experience will bear me out when I say that the class which went into Argentine, Brazilian, and Costa Rica Bonds, and bonds of that description was not the class who held Consols. It was a class who always look for a high rate of interest, and with that are prepared to take some risk as to the security of the bonds. The right hon. Gentleman must have forgotten that the number of private holders of Consols is comparatively small. Consols are held chiefly by those who are obliged to hold them. They are largely held by bankers in trust, by savings banks and other institutions, who are compelled to invest in these securities. May I ask the Chancellor of the Exchequer in his final reply to say something as to what is being done with regard to the light coinage in this country? I know that provision has been made in this Budget for the calling in of a certain amount of the light gold which is in circulation; but the Chancellor of the Exchequer on two occasions, referring to the issue of one pound notes, has said that one reason for the issue of those notes was that it would enable a quicker calling in of the light gold which is in circulation. Personally, I thought that was one of the best features of the

scheme, and I shall be very glad to hear that the Chancellor of the Exchequer hopes to accelerate the calling in of this light gold.

\*(10.13.) MR. RATHBONE (Carnarvonshire, Arfon): A point that is of the very greatest importance in connection with this discussion is the future prosperity of the country. The Chancellor of the Exchequer mentioned amongst his sources of revenue a sum of £50,000 for the new Charter of the Bank. Surely we are entitled to expect that connected with the issue of this new Charter some effort should be made to put the business of the country on a sounder footing. I do not gather from his speech that he has any immediate idea of taking action with that view, and yet all are agreed that the business of the country now rests on a very insufficient and dangerous basis. The right hon. Gentleman himself demonstrated that in a speech which he made in Leeds; and if he fails now, when people are still under the effect of the warning they received two years ago, to deal with this question in an efficient manner I am afraid he will lose his opportunity, and a few years will witness what he has shown will be a great financial disaster. And if he were not supported by the great bankers in his efforts, I think it would argue something approaching almost to madness on their part. In the winter of 1890 you did not meet a man with any pretension to commercial or financial knowledge who was not prepared to consent to very strong measures being taken to put the business of the country on a proper footing. At that time they were prepared to make sacrifices to secure that end, but that, I am afraid, has now worn off, and the feeling is more languid than it was two years ago.

THE CHAIRMAN: Order, order! The point that the hon. Member is raising is outside the present discussion.

\*(10.19.) MR. SYDNEY GEDGE (Stockport): We have been waiting a long time for this debate, and for what may be called the dress attack which was to be made by the Party opposite upon the Chancellor of the Exchequer.

There has been a sort of attack all along the line by the hon. Member for Peterborough (Mr. Morton), but he only fired blank cartridge, and there is no necessity whatever for anyone on this side to attempt to repel his attack. But the right hon. Gentleman the Member for Derby (Sir W. Harcourt), who speaks with past experience, and who seems to look forward to coming to this side of the House at an earlier date than we anticipate, made his particular attack on one point, and one point alone. His complaint was of the failure of the present Government, and especially of their Finance Minister, during their five and a half years of office in not having paid off a larger amount of the National Debt than he did, but I hope to be able to show that the present Chancellor of the Exchequer has reduced the National Debt by at least four times as much in the same number of years as was done by right hon. Gentlemen who are now on the other side of the House. Debt can only be paid off in one or two ways—by reducing expenditure or imposing taxation; but the hon. Member for Derby in his voluminous attack forgot to say in which of these ways the Government ought to have done it. The right hon. Gentleman would not like to go to his constituency having suggested fresh taxation to pay off the National Debt, and he did not show any extravagance on the part of the Government. Taxation might have been reduced in three ways, but I suppose no hon. Member on that side will complain of the three millions additional in relief of taxation. Then the three millions increase of expenditure on our Naval Forces has never been challenged. As to the three millions to free education, I do not think hon. Members would like to go to their constituencies saying they preferred that that sum should go to the reduction of the National Debt. But I say that the reduction of Debt by this Government is four times as great as that of their predecessors. In 1880 the total net liabilities of the State were 739½ millions in round figures; in 1886 that had been reduced to 713½ millions—that is a reduction of 26 millions. In 1891 the total had been reduced to 680½ millions—a reduction of 33 mil-

lions; so that while the Government of the right hon. Gentleman the Member for Midlothian (Mr. W. E. Gladstone) in six years reduced the Debt by 26 millions, during the five years of this Government it has been reduced by 33 millions. That is not all; the State does not really owe 680 millions to the people, but simply the amount to be paid annually to the annuitants. In 1880 the annual charge was a little over 22 millions, and in 1886 a little over 21 millions, a reduction of £781,000 only; but in 1891 I find it has been reduced by £2,318,650, which is more than three times as much. Capitalised at 33½ years' purchase £781,000 is equivalent to £25,700,000, while the £2,318,650 is equivalent to over seventy-seven millions. Beyond this, in the arrangement for the reduction of the interest on the Funded Debt, there is a provision that in eleven years there is to be a further reduction of  $\frac{3}{4}$  per cent., and the present value of that reduction is no less than £28,800,000. Adding that to the £77,200,000 we get a total of £106,000,000 reduction due to the action of the present Government. When we give these figures it is useless to say that higher taxation should have been imposed, or that useful expenditure should not have been incurred so that the theoretical annual amount set aside for the Debt might have been retained. For these reasons I shall support the Government in the Budget Resolutions.

(10.22.) MR. PICTON (Leicester): Some hon. Gentlemen opposite appeared to assume that approval of the conversion of the National Debt by the Chancellor of the Exchequer was confined to that side of the House. The right hon. Member for Derby (Sir W. Harcourt) distinctly expressed approval of the conversion, and congratulated the right hon. Gentleman on his success in carrying it out. All the criticisms have been limited to matters of detail in the carrying out process, and not to the principle. The hon. Member for Peterborough (Mr. Morton) expressed strong disapproval of the plunder of the Fund holders as he said, but I regret that anyone should so speak

of a very just application of the great credit of this country to a reduction of this annual obligation. The immediate Resolution before the Committee is that dealing with the duty on tea, in which I take a somewhat greater interest. That practically unites with the question of grants in aid of the rates. If I asked the Chancellor of the Exchequer to repeal the 4d. duty on tea he would say, "It is impossible; I have not the money to do it." But he has taken about four millions out of Imperial taxation to relieve the rates. If he had not done that he would have had ample to extinguish the Tea Duty, which only amounts to about three and a half millions. He says this has conferred great benefit on the ratepayers;—yes, upon certain classes, but not upon the larger number. Five-sixths of the ratepayers would be putting money into their pockets if the duty were taken off and the grant in aid taken away. We are told that in 1889 the annual consumption of tea was about 5lbs. a head. Then the average family would not be over supplied with 12lbs. of tea in the year. What is the average rating of a poor man's house? Throughout the whole country the average rating of the workingmen's and artizans' houses is £7 10s. It is impossible to tell how much the grant in aid has reduced the rate on that. But even assuming it has reduced the rate by as much as a halfpenny or penny in the pound it is a greater disadvantage to the poor ratepayer to have to pay fourpence on each pound of tea than to pay halfpenny or penny in the pound on his house. Suppose in one place the grant in aid reduces the rate halfpenny in the pound, a poor man living in a cottage rated at £7 10s. gets relief to the extent of 3½d. On his tea he has to pay 4d. on the pound, and that on 12lbs. makes 4s., so that he loses by the transaction made for him by the Chancellor of the Exchequer 3s. 8d. By the grant in aid he saves 20s. a year; and he only pays the same duty on his tea. On twelve pounds of tea he pays 4s. in the year. By the transaction he gains, instead of losing, the difference between 4s. and 10s.; in other words, he makes a profit of 6s. I do maintain that by these poor small

*Mr. Sydney Gedge*



ratepayers being charged 4s. a year on the average to enable the Chancellor of the Exchequer to relieve the rates they suffer a very considerable loss. That is not the only evil effect of applying Imperial taxation in aid of rates; but I am indisposed to pursue that subject any further, as I desire to confine myself at the present time to this particular instance of needless taxation, that is the duty on tea; and I do most earnestly contend that by the imposition of this tax—for it practically amounts to that—upon an article of necessary consumption, he causes a very great loss and inflicts a very great injustice upon the poor, who are, I suppose, about five-sixths of the population. I do not think that this is the best time to take a Division, and I do not desire to urge the matter further. At the present moment I only desire to raise some protest—and I think we are bound to continue our protest—against what I consider a very unjust mode of taxation.

\*(10.40.) MR. H. H. FOWLER (Wolverhampton, E.): The closing remarks of the right hon. Gentleman the Chancellor of the Exchequer and also the remarks of the hon. Member for Reading (Mr. Murdoch), with reference to the failure of my right hon. Friend the Member for South Edinburgh (Mr. Childers) to carry out his Conversion Scheme, render it necessary that one should make one or two remarks with regard to that Scheme, and with regard to the difference between it and the scheme which the present Chancellor of the Exchequer has carried out in such a successful manner. My right hon. Friend the Member for South Edinburgh proposed a scheme for the conversion of a portion of the National Debt at a time when things were somewhat different from what they were when the present Chancellor of the Exchequer made his proposal. When my right hon. Friend the Member for South Edinburgh made his proposal Consols stood, I believe, at 103; and I think when the present Chancellor of the Exchequer made his proposal they were only a little over 101. Therefore, my right hon. Friend the Member for South Edinburgh was justified in endeavouring to obtain for

the Public Purse the full advantage of the Money Market of the day.

MR. MURDOCH: I think what I said was that where the proposal of the right hon. Gentleman the Member for South Edinburgh erred was in consequence of options. If the right hon. Gentleman recollects, there were certain options that were to be converted into Consols.

\*MR. H. H. FOWLER: I am not just now discussing the question of where my right hon. Friend erred. What I want to do exactly is to make it clear to the Committee what was the position when he proposed his Conversion Scheme. The Money Market was more favourable then than it was in 1888. The terms which my right hon. Friend the Member for South Edinburgh offered were much more favourable to the fundholder than those offered by the Chancellor of the Exchequer. There were some other peculiarities about that scheme. My right hon. Friend the Member for South Edinburgh was not allowed by the Parliament of that day in any way to deal with trust funds under the control of the Court or the Government, or even with private trusts, without the consent of the *cestui que trust*. I remember when the late Leader of the House (Mr. W. H. Smith) came down and strongly supported another late Member of the House, Mr. Gregory, when the proposal was carried that there should be no dealings whatever made with Trust Fund Consols except with the consent of the parties interested, and that there should be no conversion of funds under the control of the Court without a number of safeguards conceived in the interests of the fundholder, which practically gave him an opportunity of expressing his own opinion; and there was no man who was more strongly in favour of that view than the late lamented Leader of the House. The Act of Parliament under which the present scheme was carried out materially differed from that. By the Act under which the scheme now in operation was carried out, the *cestui que trust* was not bound to give his assent at all—a provision was inserted very adroitly.

I often wondered how it was done, and by whom it was done. When the Bill was introduced there were certain provisions inserted in order that the persons interested in the fund might have an opportunity of being heard, and that a trustee should not have power to consent to Conversion without the consent of those for whom he acted; but some words were inserted in the earlier clauses to the effect that accepting new Stock should not be treated as a change in an investment, and would not, therefore, require the consent of those parties whose consent would otherwise be required, and subsequent clauses dealing with consent were quietly dropped. Therefore, practically this Conversion was carried out without the consent of the parties really interested. There were 100 millions of Consols under the control of the Government and the Court, practically, where no consent was required; and, therefore, there was an enormous difference between that operation and the operation proposed by my right hon. Friend the Member for South Edinburgh. But I could tell the hon. Member for Reading another distinction. He said my right hon. Friend the Member for South Edinburgh erred. He did err; but in what did he err? He did not offer any commission to the banker. That was the essential difference between the two schemes.

MR. GOSCHEN: And solicitors.

\*MR. H. H. FOWLER: And solicitors, and brokers, if you like. I can give an illustration of the erring of my right hon. Friend the Member for South Edinburgh. My right hon. Friend told me that when he proposed his scheme certain lady friends of his, who were holders of Consols, consulted their bankers as to accepting the Conversion; and the bankers wrote to them telling them on no account to consent to the Conversion—that it would be disastrous to their interests, and that they must at once dissent; and the ladies did dissent, and they did not convert. But when the scheme of the right hon. Gentleman, which was much less favourable to these ladies, came in force, the same bankers wrote

to the same ladies urging them to accept the Conversion, and they accepted it. As my right hon. Friend the Member for Derby said, there are two sides to this question. We all admit, no doubt, that the Government of this country ought not to pay one shilling or one penny more interest than the market value of its credit requires; and any Chancellor of the Exchequer who would not take the opportunity of reducing the interest on the National Debt when that interest stood higher than the current interest of the day on similar securities would be neglecting his duty. The Chancellor of the Exchequer has frankly told us to-night what his own belief was at the time he offered his Conversion Scheme to the House. He believed the new Stock would stand at par. He did not believe that that Stock would go down to 95. If he did, that was practically confiscation; that was taking away by force of law and by force of Parliament without consent from the capital value of the property of a most helpless class of people. The difficulty of dealing with property of this sort is that you cannot always prognosticate the amount of its value. My right hon. Friend the Member for Derby has called attention to the effect this transaction had upon the general investment values in the country. What. I take it, my right hon. Friend meant by what he said was that the effect of the operation of reducing the rate of interest on large masses of trust funds was to take them out of the funds and put them into what are called the "gilt edge" securities, the higher class of Debenture Stock, and other Stocks of that description; and that it threw into that sort of investment a large sum of money which was previously held in Consols, and which, invested in that sort of investment, would bring three per cent. The people who held the "gilt-edge" securities, finding them advancing, sold out, and these were the people who subsequently invested in the purchase of the speculative securities to which reference has been made. My own impression is that there was a great dislocation in the investments in the Stock Exchange. The hon. Member says that bankers were the principal holders of Consols,

*Mr. H. H. Fowler*

and the Chancellor of the Exchequer said, "What did the bankers think?" We all know that bankers for the last twelve months make it a point to say that they have written down the value of their Consols to 90, which practically amounts to this—that they anticipate that there will be a reduction in the value of their property when a substantial reduction of interest, from two and three-quarters to two and a-half, takes place. I am aware that it has been said that in consequence of the Chancellor of the Exchequer's transaction Consols are rising in value, and are now touching 98. But this is the month of May and I have a very strong impression that the National Debt Commissioners, are buying largely in Consols at the present moment, and that the present rise in the price of Consols is owing very much to the investments made on behalf of the public with public money. [An hon. MEMBER: Government money.] Well, Government money—that is the same thing. I should now like to say a few words upon one or two points to which the Chancellor of the Exchequer alluded in his speech; and the first that I would mention is that section of his remarks which related to the remission of taxes. The right hon. Gentleman justified his action upon the whole question of the remission of taxes by reference especially to the Income Tax. I have gone very carefully into the question of the taxes which have been remitted or imposed by the Chancellor of the Exchequer during the period of five years upon which he has challenged our criticisms to-night. I will say nothing at the present moment about the allocation to local purposes—I will deal with that separately, and will take now simply the reduction and imposition of Imperial taxes. The Chancellor of the Exchequer has reduced the Income Tax by £4,000,000. I am not going to say anything just now about what are called the wealthy classes, and about the classes that are not wealthy; but there is a great line of distinction between the people who get their living by weekly wages and the people who pay a higher rate of taxation in the shape of Income Tax and the other

taxes similar to it. Now, I find that the Chancellor of the Exchequer has imposed upon property—he will know the sense in which I am using the word "property"—increased Stamp Duties, increased duties upon Debenture Stock and upon wine; he has increased the Succession Duty and the Estate Duty. This new taxation I put at something over £2,000,000 per annum.

MR. GOSCHEN: More than that.

\*MR. H. H. FOWLER: I make it £2,177,000. It is probably realising more now. Therefore I should say that the advantage which the Income Tax-paying class is receiving is £2,000,000. What has been the advantage of the class that is not Income Tax-paying? The Chancellor of the Exchequer has taken off three great duties—at least, two great duties and one very little one—the Currant Duty is hardly worth counting; I think it is something like £200,000 a year. He has taken off upwards of a million of the Tea Duty, and he claims—and my right hon. Friend the Member for Derby (Sir W. Harcourt) conceded, what I am not prepared to concede—that he has taken off a certain amount of the Tobacco Duty. That remission was no boon in any shape or form to the consumer. When Sir Stafford Northcote put on that 4d. in the pound he said that it would add to the price of tobacco one farthing an ounce—that whereas tobacco was selling at 3d. an ounce, it would sell at 3½d. an ounce, and that, therefore, the consumer would pay the duty. When the Chancellor of the Exchequer came to deal with that he most frankly admitted that that had not been the case, and that the price of tobacco had not been raised one fraction. Tobacco, in fact, was, has been, and is 3d. an ounce. I admit that the addition was a tax on the manufacturers, of which the large manufacturers bitterly complained, and no doubt they recouped themselves, possibly by an increased amount of moisture in the tobacco. I remember one of the largest tobacco manufacturers in England stating to me, after the Chancellor of the Exchequer

brought in his Budget—he did not follow the right hon. Gentleman in politics—"I am not going to complain of it, for the taking off of the duty will bring thousands into my pocket." Therefore I do not include the Tobacco Duty in the taxes which have been reduced for the benefit of the working classes; and although my right hon. Friend (Sir W. Harcourt) put the relief which the working classes have received at something like £2,000,000, I prefer to put it at something like £1,250,000. And, so far as the Revenue is concerned, there has been no reduction on that ground. That being so, the million and a quarter having been taken off the same class, the reduction of the Tea Duty is not £1,500,000. I have got it here, though I do not know whether we are to believe these Government statistics now-a-days. It says here, "Tea Duty, result in a complete year."

MR. GOSCHEN: What is the date?

\*MR. H. H. FOWLER: The last Statistical Abstract.

MR. GOSCHEN: What is the date of the statistical year?

\*MR. H. H. FOWLER: 1891.

MR. GOSCHEN: That is the year 1889-90.

\*MR. H. H. FOWLER: I beg the right hon. Gentleman's pardon. I have got the receipt here for 1891, when the Tea Duty was £3,412,000; the receipt, when the tax was not taken off, was £4,629,000, and therefore it is not £1,500,000. I suppose the Government accounts must be abandoned as not being correct. I only wish the Treasury would give us something that can be relied upon. I will take, then, the Chancellor of the Exchequer's own figures. Admit that it is £1,500,000, although the Revenue has not been reduced to anything like that amount, still you have imposed—I admit rightly imposed—a duty upon spirits and upon beer, which is practically equivalent to what has been taken off. So far as the consuming classes are concerned, they are neither better nor worse off by the fiscal legislation of the Chancellor of the Exchequer. What he has taken off on the one side he has put on on the

other. I think it is a very great improvement—it is better to tax spirits than to tax tea. But the enormous sums which have been placed at his disposal in the few years this is the practical effect as far as the reduction of taxation is concerned. He gives the Income Taxpayer £2,000,000; he has not any other class any appreciable at all. He says—"Is it not to take the Income Tax off?" It is an enormous relief. I quite agree with the Chancellor of the Exchequer, that the lower end of the middle class, the people who are just struggling up, are very heavily taxed. I believe they are the heaviest taxed people in this Kingdom, the way to relieve them is to gradually reduce the Income Tax, and not to relieve enormous incomes and those enormous incomes upon which the bulk of the taxes are raised, and we are not doing very strongly when we urge that is not the proper mode of dealing with it. We come, then, to the question—in connection with that—of the way in which the Chancellor of the Exchequer has apportioned to local taxation. It is a great difficulty in finding out what that sum is.

MR. GOSCHEN: Not at all.

\*MR. H. H. FOWLER: The Chancellor of the Exchequer says "I don't know." Well, then, am I right in saying that the amount is £7,500,000?

MR. GOSCHEN: Approximately.

\*MR. H. H. FOWLER: £7,500,000 has been appropriated for the purpose of local taxation, although £3,000,000 of a previous grant has been discontinued. Therefore, the increase represents £4,500,000. We have had some considerable discussion as to whether it bears the burden of these rates, but I frankly confess that I am a disciple of the Chancellor of the Exchequer on that point. I have read his Blue Book Report, and I have read the very document he drew up in 1871, in which he believed no writer on political economy has more accurately and more fully described the incidence of taxation between owner and occupier than the Chancellor of the Exchequer did at that time.

Mr. H. H. Fowler



years ago. The impression he left on my mind was this: that in rural districts, in the rating of farms as apart from house property—that which was expressed very concisely the other night by the President of the Board of Agriculture—the rates upon farms were ultimately paid by the owner of the farm. As rates went up rent went down. In towns I would hold the contrary opinion. I believe that the competition for house property, and other circumstances which the Chancellor of the Exchequer mentioned in his book, show practically what he has said to-night: that the onus, the burden, of the rate in the town is paid by the occupier; and, therefore, while I, of course, would not contend that four millions in these circumstances in aid of local taxation is absorbed by the owner, the question I would ask is how much of this seven and a half millions—of which four millions only is additional—has gone to the town and how much to the rural localities? One of the great grounds of complaint that we have against the Chancellor of the Exchequer, and against the system of finance of the present Government is that that enormous subvention was granted on unsound and unfair principles. The Chancellor of the Exchequer says—“Will you go to Liverpool, or to Glasgow, or to Birmingham, or Leeds, and ask them to give up their subvention in aid of rates?” No; but what they want is to have their fair share of that subvention which they do not get now. I have got here the Report of the Local Taxation Committee—a Committee chiefly of landed proprietors. How do they apportion this seven millions? About half of this subvention goes to the counties, one-fourth goes to London, and one-fourth goes to the other boroughs of England. To appreciate the full force of that allocation, you have got to remember that the entire rateable value of this Kingdom is one hundred and fifty millions, that ninety millions represents the rateable value of the counties, thirty millions the rateable value of the boroughs, and thirty millions the rateable value of the Metropolis. Well, then, you have got the property which is rated at ninety millions, which is paying a much less rate than is paid by either the Metropolis or the

boroughs, receiving more than one-half of the contribution. In connection with that, there is the point raised just now by the hon. Member for Leicester (Mr. Picton)—namely, as to the respective share which the different classes of ratepayers receive when Imperial Funds are spent in relief of local taxation. Now, I am going to quote a speech delivered in this House by a very able man a good many years ago. He says—

“What I have now to ask hon. Members to consider is the effect which these grants in aid of local rates have had on the incidence of Imperial taxation. I find that Professor Leone Levi estimates that the working classes contribute one-sixth to local rates, and the upper and middle classes five-sixths. This estimate was adopted by Mr. Gladstone when addressing this House in 1873. On the same occasion Lord Beaconsfield took the proportions of one-fifth and four-fifths. I am content to take Lord Beaconsfield's estimate, and, if it is a fair one, it follows that the working classes have been relieved to the extent of so much [and he gives the figures], and the upper and middle class so much. What I wish to call attention to is this: that just in proportion as you make grants from the Imperial Exchequer in aid of local rates, you relieve the middle and upper classes to the extent of four-fifths, and the working classes to the extent of one-fifth.”

If you take a sovereign out of the Imperial Funds—which sovereign I shall be prepared to argue is contributed equally between the upper and the lower classes—and apply it in aid of local rates, the working man will be paying ten shillings and receiving only three and fourpence. Therefore there is another injustice in this transfer. Those who pay rates and those who pay taxes are two entirely different bodies. In his Budget speech of 1887, the Chancellor of the Exchequer fixed the expenditure of the country at £90,000,000 per annum. The expenditure this year, according to the present Budget, is £97,500,000. To this sum we have to add £3,000,000 as the difference in the amount of the Sinking Fund; the large difference occasioned by the new method of dealing with the accounts, and the difference caused by the gross expenditure being now converted into a net expenditure. That cannot be put at less than £1,500,000, and therefore we have practically an increase in five years of not much less than £10,000,000 sterling. That is the salient feature of the finance of the

Chancellor of the Exchequer. My right hon. Friend the Member for Derby (Sir W. Harcourt) pointed out to the House the very exceptional seasons of prosperity with which the Chancellor of the Exchequer has been favoured. I would like to point out that the right hon. Gentleman has had at his disposal such funds as probably no other Chancellor of the Exchequer would have again under such circumstances. The increased production of the Income Tax has actually disposed of one-half of the reduction which the Chancellor of the Exchequer has made in it. Last year the Post Office produced £1,000,000 more revenue than it did in the year when the Chancellor of the Exchequer took office. In 1886 the Drink Duty produced under £26,750,000, but last year it produced £31,250,000. Stamps in 1886 produced £11,780,000, and last year they produced nearly £16,000,000. In whichever way we look at the financial position we find an enormous increase in the Revenue. The Chancellor of the Exchequer has imposed additional taxation for additional purposes, and the result has been the granting of free education. I do not detract from the credit which the Government have in passing that measure, but in addition to these enormous contributions to local taxation, the right hon. Gentleman has increased the Military and Naval Expenditure of the country by something like £4,000,000. I do not think that this is a financial result of which, during all these years, the Government have any reason to be proud. The right hon. Gentleman said that there was nothing he was more satisfied with in his expenditure than the enormous increase in the Naval and Military Expenditure. There is something to be said for that view if hon. Members are satisfied that they are getting their money's worth for the expenditure. When the First Lord of the Treasury can find a night to discuss the Report of Lord Wantage's Committee, the House will probably be told that our Army is a delusion and a snare. It has been said that the expenditure on the Navy has not been challenged by the Opposition. I think it is one of the happiest features of Parliamentary Government in this country that there

is no instance in which a Minister of the Crown has come to Parliament, and on his responsibility asked for a grant of money for the defence of the country, which has been refused. We have, of course, a right to criticise, and we divided on the Naval Defence Act.

MR. GOSCHEN : On the method.

\*MR. H. H. FOWLER : No ; on the principle of it—on the principle of depriving the House of Commons of the sole and uncontrolled right of expenditure, and on the association of the House of Lords with the finances of the country. The Chancellor of the Exchequer said that he had a surplus. With great respect I say to the right hon. Gentleman that he has not a surplus. I do not refer to the borrowed money, but on his own figures the Chancellor of the Exchequer has not a real surplus. It seems to me that the debate has left untouched the contention of my right hon. Friend the Member for Derby (Sir W. Harcourt) that in a time of unexampled prosperity the Chancellor of the Exchequer has not paid off the amount of Debt which the country had a right to expect would have been paid off, and that he has made large and lavish grants for the purposes of local taxation. The right hon. Gentleman wants a quotation from the *Economist*. I should, therefore, like to call the Chancellor of the Exchequer's attention to the following passage, which is taken from the *Economist* of 29th February of this year. :—

"The essential unsoundness of Mr. Goschen's scheme of local finance becomes more apparent with every new development of it. The effect of the system instead of being to foster economy is to encourage extravagance. The money which really comes out of the pockets of the people is made to appear as a lucky find, which, as it has come easily, may be suffered to go easily."

No one who has had any familiarity with the working of our system of local administration and local expenditure will dispute the soundness of the axiom that if we want true economy the body who spends the money should be the body who raises it. The Chancellor of the Exchequer, however, has made lavish grants which are not

being economically or fairly distributed. We complain also that, in the remissions of taxation which the right hon. Gentleman has been enabled to make through the enormous increase in the Revenue during the last few years, he has not dealt with one or two taxes which press heavily on the working classes. The right hon. Gentleman has not availed himself of the opportunity to afford relief in that direction, and he has left untouched the injustice of the Death Duties, the mode in which they are assessed, levied, and paid. Whether it be his fate or that of any one else to deal with the finances of this country in the next Parliament, he may depend upon it that, whether the Conservative Party or the Liberal Party are in power, the country will insist that the injustice of the Death Duties shall be promptly, vigorously, and fairly dealt with.

\*MR. GOSCHEN: I will endeavour in the first place to clear up one point about which there is not much to be said. The right hon. Gentleman the Member for Wolverhampton has made some remarks with regard to the Conversion of Consols which I think are rather unfair to the great bodies of bankers and solicitors to whom he referred. I think it was unworthy of the right hon. Gentleman to suggest that the bankers and solicitors gave those who consulted them advice, in the soundness of which they did not themselves believe, for the sake of obtaining the 1s. 6d. per cent. which was allowed them in respect of these Conversion transactions. I do not know what view the right hon. Gentleman takes with regard to the honour of the profession to which he belongs; but I hold too high an opinion of the solicitors of this country to believe that they would wrongfully advise their clients for the sake of the small amount they were to receive. The right hon. Gentleman quoted a particular story which was related to the right hon. Member for South Edinburgh (Mr. Childers), but does he realise this? Is it not fair to bear in mind that the bankers themselves, holding millions and millions of Consols, accepted the

Conversion just as they recommended their clients to accept it. Therefore, to suggest that bankers and solicitors really gave improper or hired advice, if I may say so, to their clients, is taking a view of the character of two great bodies in this country which I am sure they do not deserve, and which few hon. Members in political discussion would like to impute. The right hon. Gentleman also suggests that bankers write down their Consols to 90, in anticipation of the reduction of interest, from  $2\frac{3}{4}$  to  $2\frac{1}{2}$  per cent.; and, therefore, he suggested that this valuation is in accordance with the estimate bankers make of the future of Consols.

MR. H. H. FOWLER: I said, as a fact, they had written them down. You can put what construction you like upon that.

\*MR. GOSCHEN: The right hon. Gentleman put that construction upon it. He does not seem to be aware that the price of Two and a Half per Cents. is now 96. To suggest that, because they expect the present Two and Three-quarter per Cents. to fall to Two and a Half per Cents., they should on that account write them down to 90, seems to me an argument due to carelessness or want of thought on the part of the right hon. Gentleman. It is quite possible that bankers may write down the value of Consols to a little under their real value, as they do that of other securities, so as to have a margin. But I can assure the right hon. Gentleman that bankers would take other means of dealing with Consols than writing them down if they believed they were going to descend to 90. I think they would rather sell out at 96 than write them down to 90. The right hon. Gentleman called the fundholders a helpless class, but I scarcely think that it is a term which it is necessary to apply to them. The next point touched by the right hon. Gentleman was of a more serious character. He alluded to the remission of taxation and contrasted the remission in the case of different classes. What I wish the Committee to remember is that the 2d., which I had taken off, had been placed upon the Income Tax payers in

1885-86 for a special reason. It was put on at a time when there were special financial exigencies. That purpose being satisfied, the Income Tax payers were entitled to have it removed again. I think, under the circumstances, the right hon. Gentleman himself would have taken the course I adopted, and would have thought that in this case there was a primary claim to remission. The right hon. Gentleman, however, seems to think that, instead of reducing the Income Tax, we ought to have reduced the tea and other duties. I wonder in what school of finance the right hon. Gentleman has been educated, because I remember that in the time of the right hon. Gentleman the Member for Midlothian (Mr. W. E. Gladstone) he did not propose during the whole period of office to reduce the Tea Duty. He proposed to sweep Income Tax away altogether, while leaving the Tea Duty not at 4d. as it is now, but at 6d. It has remained for a Unionist Government for the first time during the last twenty years to make an effort in the reduction of the tax on consumable articles, and yet we have such speeches as those delivered by the right hon. Gentleman the Member for Derby (Sir W. Harcourt) and the right hon. Gentleman the Member for Wolverhampton (Mr. H. H. Fowler), because we do not deal more distinctly with these particular classes. The right hon. Gentleman has argued that the amount of loss to the Revenue must be precisely the same as the amount of relief to the taxpayer, but he forgets to take into account that which all financiers consider—namely, the increase of Revenue which is due to increased consumption when duties are taken off. Therefore, how I calculate my million and a half of relief is this: I take the amount of tea consumed at sixpence and the same amount consumed at fourpence; and as that gives a difference of more than a million and a half, I say that the taxpayer is relieved by that amount. The Revenue has not lost so much owing to the increased consumption. I hope the right hon. Gentleman will do me the justice to say that this is a reasonable explanation, and that it is one which does not entail the rejection of

*Mr. Goschen*

the Statistical Abstract, as he suggests must be the case. Then the right hon. Gentleman says that he will not give any credit for taking off this £600,000 from the Tobacco Duty, because the price remains the same. I explained at the time—I thought, at all events, it was perfectly well-known—that through the watering clauses the ounce contains more tobacco and less water than it used to do, and therefore that the workman does get for the same sum a larger quantity of smoking material than he got before. I can show the right hon. Gentleman great inconsistency in his mode of calculation. When he comes to the Beer Duty, he treats the increase as a burden on the masses; and when he speaks of the £600,000 taken off from the Tobacco Duty, he says that is merely relief to the manufacturer. But beer stands in precisely the same position as tobacco. I do not believe the price of beer has changed. The prices are the same. What I do claim is that both should be treated on the same footing. Either let it be said, in taking off these duties, that both fall upon the wholesale dealer, or let them both be treated as belonging to the working classes. Do not let the right hon. Gentleman say in one case that it is relief of the tobacco manufacturer, and in the other that the burden is placed upon the people. I, myself, think that the simplest way to deal with the matter is to say that, by reducing duties on consumable articles, you are taking it off the consumer. I therefore get a million and a half for tea, £600,000 for tobacco, and I think the right hon. Gentleman must also give me the Inhabited House Duty, considering that the reduction began at a rate which would distinctly affect what I may call the poorest middle class, or the upper portion of the artisans. It has been a very considerable relief to a class which I believe deserve it. Then we come to the most disputed item, the relief given to local taxation, upon which I have joined issue with the right hon. Gentleman before, and probably shall have to join issue with him again. He has taken no notice, and no speaker in this discussion has taken notice, of the fact that this is not



merely a question of relief of expenditure—it is also a question of better municipal government. I alluded to this in my speech in reply to the right hon. Gentleman the Member for Derby, but the right hon. Gentleman (Mr. H. H. Fowler) has taken no notice of the point. What I claim is this—and I state it as an absolute fact not to be disputed—that at present a much larger amount of the rates is spent upon what I may call social legislation, that there is a large amount which does not go into anybody's pocket as relief, but is current expenditure. Now I am sorry to see the right hon. Gentleman showed no sympathy of any kind with this expenditure from the rates. He did not enter into—he did not condemn, but he did not enter into—the great and beneficial expenditure from the rates to the advantage of the working classes. He dealt with figures to show that the relief to the working classes is one-fifth and to other classes four-fifths; but does he not know how large a proportion of the expenditure from the rates is directly for the advantage of the masses of the community through Free Libraries, the provision of open spaces, and in other ways? I have spoken of this before—this additional source of revenue is largely spent for the benefit of the masses of the community. Am I to assume that the cost of this social legislation which is offered, and with which I have every sympathy, for the benefit of the masses in large towns and for the beautifying of those towns, is to come from realty only, and that personalty is not to contribute a single shilling? The right hon. Gentleman is very fair in his description of who are the gainers by this relief of local taxation in towns; he admits that it goes to the occupiers, and therefore the whole talk about this money going to the landlords is mere “bunkum,” and merely used for rhetorical purposes. But in the country the right hon. Gentleman says rents will be raised. Yes, if the value of land is rising. If I remember the words used, they were, “the pull will be with landlords when agriculture is prosperous,” but the landlords will not get any relief in higher rents if agricul-

ture is not prosperous; they will not be able to raise their rents in consequence of any increase in the relief to the rates; and, meantime, the great bulk as at present will go to the advantage of occupiers. The right hon. Gentleman spoke of the Income Tax and Death Duties, and censured me for not dealing with them. As to a graduated Income Tax, I say again the right hon. Gentleman belongs to a new school, because when it was suggested on this side of the House that some changes should be made in the Income Tax, the right hon. Gentleman the Member for Midlothian said across the Table it would take a century to re-organise the Income Tax. This is not the occasion for the redistribution of the Income Tax. I doubt whether a Session would be sufficient for the purpose. It may be that a time will come when a Session can be given to the discussion; but certainly we could not undertake such a task in the present Session. Now, I think I have dealt with the main points raised by the right hon. Gentleman, except one—that is, the reference to our increased expenditure. I do not understand that there is any of our increased expenditure to which he objects, except our local subventions and our military and naval expenditure. Therefore, the whole controversy turns on this: Have we spent too much on the Army and Navy, and have we been right or wrong in our subventions to Local Authorities? I believe that we have been thoroughly right in our municipal finance; and, as regards our expenditure on the Army and Navy, I say it has never been seriously questioned in the House. The form of it has been criticised, the principle of the control of the House being exercised has been questioned, but the fact of the expenditure being necessary has never been questioned. The expenditure upon free education has not been questioned; the increase in Post Office expenditure has not been questioned; and I say again, as I said earlier in the evening, our expenditure has practically not been challenged in detail or in principle during the course of five or six years. Our expenditure has increased, but I say we have justified it by argument.

in this House and in the country. Now, there are several hon. Gentlemen whom I have to answer on minor points. The hon. Member for Reading (Mr. Murdoch) has asked me whether the withdrawal of light gold might be accelerated by the introduction of one pound notes. Practically there is no need for taking any measures to accelerate the process, because the Bank of England is prepared to take light gold as fast as bankers are prepared to send it in. We are anxious that the banks should send it in rapidly, as they did in the case of the pre-Victorian gold. Then the hon. Member for Dundee (Mr. Leng) asked me a question in regard to what he called the "bonus" to exporters of British spirit in the shape of the drawback of twopence. I can assure the hon. Gentleman that if he will consult the British distillers in Dundee, if he has an interview with them, I shall be very much surprised if they do not convince him that the twopence fixed some time ago is an entirely legitimate drawback. They claim more—they claim that they are at a disadvantage because the drawback is not greater than twopence; but I have looked into the matter and am satisfied that it would be quite impossible to save the Revenue in the manner suggested by the hon. Gentleman. I am precluded by the Rules of Order from dealing with two subjects raised, but perhaps I may be allowed to just allude to the complaint of the hon. Member for Middlesex (Mr. Bigwood) by saying that it is a matter of local government—the question of the Middlesex police force. Then as to the question of what my hon. Friend the Member for Carnarvon (Mr. Rathbone) calls the new Charter for the Bank of England, perhaps I may be allowed to correct the phrase. There is to be no new Charter, only a fresh agreement with regard to the management of the Debt, the interest on the Debt due by the Government to the Bank, and some other minor matters. The Bill I shall have the honour to introduce will not raise any questions of issue or disturb the relations between the Bank and the State. The hon. Member for Leicester (Mr. Picton) spoke of the Tea Duties and partly anticipated my

*Mr. Goschen*

reply, and I shall be prepared to meet him on another occasion if that is necessary. I must correct one error into which the hon. Member has fallen in thinking that the relief to local taxation does not exceed a half-penny or penny in the pound. In some localities the relief will amount to sixpence, and on an average the relief will be threepence in the pound all over the country. He much underrates the relief which will be given to the poorest ratepayer. Only one other matter remains with which I did not deal in my reply to the right hon. Gentleman the Member for Derby. Last year his figures were not answered immediately, and they were quoted afterwards in the country. I wish to be allowed to state shortly the reduction of national liabilities during the past six years in order to correct the mis-statements persistently made. I will take the figures for the last six years and will compare them with the previous six years. In the years from 1880-1 to 1885-6 the reduction of net liabilities was £28,400,000, while in the six years 1886-7 to 1891-2 the reduction of net liabilities has been £38,823,000, showing a difference of £10,423,000 to the advantage of the present Government. These are absolute facts, and I warn hon. Members with regard to all these calculations as to the amount of reductions of Debt, that it is a favourite method with our opponents in dealing with the figures to include, sometimes unintentionally—sometimes carelessly—I hope not with any motive, items which are simply realisations of assets, thereby making the country poorer on one side while paying off Debt on the other. It is by the sweeping up of the money paid in as capital and then paid out as reduction of Debt that the error is made, but the error disappears when you compare the net liabilities at the end of two periods. Let this be fixed as a fact—that by ten millions the reduction of net liabilities has been greater in the last six years than in the preceding six years; and I should be glad—but I do not suppose I shall get my wish—if future controversies are conducted simply on the basis of net liabilities. I will give

up the comparison from the amount devoted out of taxation; but, on the other hand, the distinction must be made as to realisation of assets. The figures given by the hon. Member for Poplar (Mr. Sydney Buxton) included the sums paid into the Exchequer as interest by Local Authorities, and he made an error of ten millions in leaving out the surpluses which have gone towards paying off Debt during our time. I think I have answered nearly all the questions put to me. Some very large ones were opened by the remarks of the hon. Member for Peterborough (Mr. Morton); but the hon. Member will excuse, and not attribute it to any want of courtesy, if I do not now enter into them.

(11.52.) MR. PICTON: I am obliged to the right hon. Gentleman for the information he has given me. I am glad to find that the relief is so high as he places it, and am astonished to find it is so. But even supposing it is so high as 6d. in the £1 the amount of actual relief is very small to occupants of houses rented at £7 10s. and as is often the case at £4.

MR. MORTON: I should be glad to have a brief expression of opinion from the right hon. Gentleman as to the principle of levying the Income Tax and House Duty.

\*(11.53.) MR. GOSCHEN: The point is a very large one whether it is right the Income Tax and House Duty should be levied on the gross or on the net. My view, as I think the hon. Member knows, is that the present system is an anomaly, and that it would be more fair to levy the tax on the net, but with a change of the kind many adjustments would have to be made. If we made the change by itself we should have the charge made against us that we were relieving realty and the owners of property, adding another crime to the many charged against our financial proposals.

(11.53.) THE FIRST LORD OF THE TREASURY (Mr. A. J. BALFOUR, Manchester, E.): May I remind the Committee that it is important that we

VOL. IV. [FOURTH SERIES.]

should take the Resolutions now, and that there remains opportunity for discussion at a later stage?

Question put, and agreed to.

#### TEA.

Resolved, That, towards raising the Supply granted to Her Majesty, the Duties of Customs now chargeable on Tea shall continue to be levied and charged on and after the first day of August, one thousand eight hundred and ninety-two, until the first day of August, one thousand eight hundred and ninety-three, on the importation thereof into Great Britain or Ireland (that is to say) on—

Tea - the pound - Four Pence.

#### INCOME TAX.

Motion made, and Question proposed,

“That, towards raising the Supply granted to Her Majesty, there shall be charged, collected, and paid for the year which commenced on the sixth day of April, one thousand eight hundred and ninety-two, in respect of all Property, Profits, and Gains mentioned or described as chargeable in ‘The Income Tax Act, 1853,’ the following Duties of Income Tax (that is to say):—

For every Twenty Shillings of the annual value or amount of Property, Profits, and Gains chargeable under Schedules (A), (C), (D), or (E) of the said Act, the Duty of Six Pence;

And for every Twenty Shillings of the annual value of the occupation of Lands, Tenements, Hereditaments, and Heritages chargeable under Schedule (B) of the said Act,—

In England, the Duty of Three Pence;

In Scotland and Ireland respectively, the Duty of Two Pence Farthing;

Subject to the provisions contained in section one hundred and sixty-three of the Act of the fifth and sixth years of Her Majesty's reign, chapter thirty-five, for the exemption of persons whose income is less than One Hundred and Fifty Pounds, and in section eight of ‘The Customs and Inland Revenue Act, 1876,’ for the relief of persons whose income is less than Four Hundred Pounds.”

\*MR. BARTLEY (Islington, N.): I do not want to detain the Committee now, but I give Notice to the Chancellor of the Exchequer that when the Bill comes before the House in Committee

I shall raise the question of differential rates as between industrial incomes and, spontaneous incomes—as between incomes from capital and from industry; and unless I get some satisfactory indication that the subject will be considered, I hope to take a Division.

Question put, and agreed to.

#### AMENDMENT OF LAW.

3. Resolved, That it is expedient to amend the law relating to the Customs and Inland Revenue. — (*The Chancellor of the Exchequer.*)

Resolutions to be reported To-morrow, at Two of the clock.

Committee to sit again upon Wednesday.

#### ROADS AND BRIDGES (SCOTLAND) ACTS AMENDMENT BILL [*Lords.*]

(No. 232.) CONSIDERATION.

Order for Consideration, as amended, read, and discharged.

Bill re-committed in respect of Clause 3 and a New Clause.

Considered in Committee.

(In the Committee.)

Clause 3 omitted.

New Clause—

(Assessments for cost of building or rebuilding bridges.)

“So much of sub-section (2) (c) of section sixteen of ‘The Local Government (Scotland) Act, 1889,’ as provides that the cost of constructing or rebuilding bridges shall be provided for in the same manner as the cost of maintenance of existing bridges, is hereby repealed, and in lieu thereof it is enacted as follows: Any assessment leviable under section fifty-eight of ‘The Roads and Bridges (Scotland) Act, 1878,’ for the construction or rebuilding of a bridge may be imposed and levied as the County Council may determine, either on the county (subject to the provisions as to insular districts contained in the said section) or on the district or districts within which such bridge is situate or partly situated, or partly on the county and partly on such district or districts, and such assessment shall be paid one-half by the proprietor and the other half by the tenant or occupier of the lands and heritages on which the same shall be imposed: Provided that nothing in ‘The Local Government (Scotland) Act, 1889,’ or in this Act, shall prejudice the power of borrowing for the purposes of such construc-

*Mr. Bartley*

tion or rebuilding conferred by section fifty-eight of ‘The Roads and Bridges (Scotland) Act, 1878,’ but any assessment in respect of such borrowing may be imposed and shall be payable as in this section before mentioned,” —(*Mr. Esslemont.*)

—brought up, read the first and second time, and added to the Bill.

Bill reported; as amended, considered; read the third time, and passed.

#### POOR LAW SCHOOLS (IRELAND).

BILL—(No. 276.)

SECOND READING.

Order for Second Reading read.

\*THE CHIEF SECRETARY FOR IRELAND (Mr. JACKSON, Leeds, N.): The House will, perhaps, allow me to give a short explanation of this Bill. There is one Poor Law school in Ireland, at Trim, under the joint management of two Boards of Guardians, and the managers in the one Union have no power to charge to the rates the travelling expenses incurred in the duties of management. All that the Bill does is to confer that power—a power similar to that which exists in this country. It is much desired, and I think there is no objection to the Second Reading.

Motion made, and Question proposed, “That the Bill be now read a second time.”—(*Mr. Jackson.*)

(12.0.) MR. SEXTON (Belfast, W.): The Bill seems to have something of the character of a new experiment. The right hon. Gentleman says the system contemplated in the Bill is one which is in operation in England.

\*MR. JACKSON: The payment of expenses.

MR. SEXTON: I have some acquaintance with the proceedings of Boards of Guardians in Ireland, but I do not know that the expenses of the Guardians are ever supposed to fall on the public funds. The case the right hon. Gentleman desires to meet has arisen, he says, only in one Union; but he has not said whether the Bill is introduced at the instance of the Guardians of that Union. The Bill



will have a general application, and, on the whole, I hope the right hon. Gentleman will consent to the postponement for a day or two, that we may have the opportunity to consider it in its application to the 160 Poor Law Unions, and whether the ratepayers approve of such expenditure.

Second Reading deferred till Thursday next.

**MUNICIPAL CORPORATIONS ACT (1882)  
AMENDMENT (No. 2) BILL—(No. 336.)**

**SECOND READING.**

Order for Second Reading read.

MR. BRUNNER (Cheshire, Northwich): I find that all this Bill proposes to do can be done by means of an Instruction to the Committee on the Municipal Corporations Act (1882) Amendment Bill, which has passed its Second Reading, and, therefore, I move the withdrawal of this Bill.

Motion made, and Question proposed, "That the Order be discharged."—*(Mr. Brunner.)*

Motion agreed to.

Order discharged.

Bill withdrawn.

**LOCAL GOVERNMENT (IRELAND)  
PROVISIONAL ORDER (No. 5) BILL.  
—(No. 301.)**

Read a second time, and committed.

**RAILWAY RATES AND CHARGES PRO-  
VISIONAL ORDER BILLS.**

Report from the Joint Committee, with Minutes of Evidence, brought up and read.

Report to lie upon the Table, and to be printed. [No. 187.]

**ARMY (COURTS MARTIAL).**

Address for—

"Return for each regiment of Cavalry (including the Cavalry Depot), Battery of Artillery, Company of Engineers, and Battalion of Infantry, respectively, of the number and proportion to average strength of (1), Courts Mar-

tial, distinguishing those in which the offences are only in relation to enlistment; (2), Minor Punishments; (3), Desertions; and (4), Stations (in continuation of Parliamentary Paper, No. 37, of Session 1891)."—*(Sir Frederick Fitz Wygram.)*

**MOTIONS.**

**WATERMEN'S AND LIGHTERMEN'S COM-  
PANY BILL.**

Select Committee on Watermen's and Lightermen's Company Bill nominated of,—Mr. Causton, Mr. Rowntree, Mr. John Kelly, Mr. Wootton Isaacson, with Three Members to be added by the Committee of Selection.—*(Mr. Wootton Isaacson.)*

**CORN SALES COMMITTEE.**

Ordered, That Mr. Seale-Hayne be discharged from the Committee on Corn Sales.

Ordered, That Mr. Robinson, Mr. Kilbride, and Colonel Waring be added to the Committee.—*(Mr. Jasper More.)*

**LOCAL GOVERNMENT PROVISIONAL ORDERS  
(NO. 12) BILL.**

On Motion of Mr. Long, Bill to confirm certain Provisional Orders of the Local Government Board relating to the Urban Sanitary Districts of Bath, Cheltenham, Louth, Nottingham and West Bridgeford, Portsmouth, Salford, and Wallasey, ordered to be brought in by Mr. Long and Mr. Ritchie.

Bill presented, and read first time. [Bill 352.]

**LOCAL GOVERNMENT PROVISIONAL ORDERS  
(NO. 13) BILL.**

On Motion of Mr. Long, Bill to confirm certain Provisional Orders of the Local Government Board relating to the Urban Sanitary Districts of Bilston, Morley, and West Ham, ordered to be brought in by Mr. Long and Mr. Ritchie.

Bill presented, and read first time. [Bill 353.]

**ADJOURNMENT.**

**IRISH NATIONAL EDUCATION BILL.**

Motion made, and Question proposed, "That this House do now adjourn."

(12.12.) MR. SEXTON (Belfast, W.): I desire to bring to the notice of the First Lord a matter of particular urgency—a question arising in refer-

ence to the Irish National Education Bill. I understand that a deputation from the executive body of the Irish national teachers are now in London, and that they have sought an interview to-day with the Chief Secretary. It has become a question of vital importance to them, considering the Bill proposes to allocate a sum of £200,000 this year and in succeeding years towards the salaries of the teachers, to learn what steps the Government propose to take to secure that the money shall be allocated this year. I wish to ascertain from the right hon. Gentleman or from the Chief Secretary whether the executive body of the Teachers' Association have made any representation on the subject; and, if so, what reply has been made? I think it must be evident to every Member in the House that in the general condition of political affairs, and the state of uncertainty as to the duration of this the last Session of Parliament, these officials have every reason to be anxious, so far as their interests are concerned in the Bill. The right hon. Gentleman will remember that at an earlier stage I submitted a suggestion that the Bill should be divided, and that the part dealing with the allocation of the £200,000 should be distinct from that part of the Bill which raises questions which, in view of certain declarations of opinion in Ireland, cannot be regarded as other than likely to give rise to considerable debate. There will be no contention as to the allocation of the money, and I would renew my suggestion that this part should be made a separate Bill. I think it will be admitted that the programme before the House—apart from these national teachers' clauses—whatever may be the intention of the Government in regard to the duration of the Session, as to which I have no intention to inquire, is such that it is extremely unlikely that after the Local Government Bill there will be the opportunity of passing the National Education Bill unless its scope is reduced. Therefore, I put my question, will the right hon. Gentleman separate the Bill, and will he

*Mr. Sexton*

make special arrangements by which this money shall be allocated to the teachers in the present year?

(12.15) THE FIRST LORD OF THE TREASURY (Mr. A. J. BALFOUR, Manchester, E.): I am sorry I have not heard from my right hon. Friend (Mr. Jackson) what has passed in the interview with the deputation which I understand the hon. Member to say has waited upon my right hon. Friend.

MR. SEXTON: Such was the intention.

MR. A. J. BALFOUR: I have not heard whether there has been such an interview, or what may have taken place. I may say, in answer to the hon. Member's question, that I have seen no reason to alter my opinion as to the advantage of treating as a whole the subject he has alluded to, the allocation of £200,000 and the question of the application to Ireland of some modified form of compulsory education. I am unwilling to divide the Bill into two, as the hon. Member suggests. I will report to my right hon. Friend the purport of what has passed in the short conversation, and can only say now that I hope an opportunity will be found for reading the Bill a second time before we separate for the Whitsuntide Recess; and if the Bill is met with only reasonable controversy, I see no reason to doubt that it will pass into law this Session.

MR. CONWAY (Leitrim, N.): Will the right hon. Gentleman alter his arrangement, and take the Bill before the Local Government Bill?

MR. A. J. BALFOUR: I have been pressed by hon. Gentlemen to take the Local Government Bill immediately after the Committee on the Small Agricultural Holdings Bill, and I adopted that course, from which I do not think it is expedient to depart.

Motion agreed to.

House adjourned at twenty minutes after Twelve o'clock.

## HOUSE OF LORDS,

Tuesday, 17th May, 1892.

## STATUTE LAW REVISION BILL [H.L.]

Bill referred to the Select Committee on Statute Law Revision.

## FORGED TRANSFERS BILL [H.L.]

A Bill to removedoubts as to the meaning of the Forged Transfers Act, 1891—Was presented by the Lord Chancellor; read 1<sup>a</sup>; and to be printed. (No. 114.)

## CONVEYANCING AND LAW OF PROPERTY ACT (1881) AMENDMENT BILL.

## THIRD READING.

Order of the Day for the Third Reading, read.

LORD HERSCHELL: My Lords, in moving the Third Reading of this Bill, I do not propose to revive the subject of controversy which gave rise to some discussion on the last stage of the Bill; there is only one point which was referred to by the noble Marquess on which I wish to say a word or two. The noble Marquess suggested a doubt whether there were any cases of real hardship owing to the regulations upon alienation of assignment of a lease, and owing to a forfeiture for breach of the covenants relating to not assigning. Now, my Lords, I quoted on that occasion one or two cases that had been brought to my notice, and I think it right to say that since that time I have had several communications which point to the conclusion that cases of hardship and harsh and inconsiderate treatment by lessors are by no means rare. The noble Marquess suggested that there might be an inquiry upon the subject. It will be obvious that when persons have had their leases forfeited, and lost money in consequence, a good many of them are unwilling to make known the fact of that loss, and that by a want of care they have placed themselves in a position of that description; and therefore one can quite well understand that there may be many more cases of hardship, such as I have alluded to, than would be likely to be made public. Nevertheless

I shall certainly keep my attention fixed upon the subject, and, although I am not aware how many cases of such hardship the noble Marquess would consider a sufficient basis for legislation, if I obtain such information to a greater extent than I possess at present, I shall propose to invite the attention of your Lordships to the subject on a future occasion. I now move that the Bill be read a third time.

Moved, "That this Bill be now read 3<sup>a</sup>."—(*The Lord Herschell*.)

Motion agreed to; Bill read 3<sup>a</sup> accordingly, with the Amendments, and passed; and returned to the Commons.

## TARGET PRACTICE (SEAWARDS).

## QUESTION—OBSERVATIONS.

LORD COLVILLE OF CULROSS: My Lords, I desire to call your Lordships' attention to the question that stands on the Notice Paper in my name. In consequence of a sad accident which occurred a few months ago a Committee was appointed to inquire and report on the system under which artillery practice seawards, whether from ships or from ports, is to be carried out. The Committee was composed of three Members of the House of Commons, one of them being Chairman, two captains of the Royal Navy, and two colonels of the Royal Artillery. The greater portion of the evidence has been given in London, but a local inquiry took place at Plymouth, which is the place where the accident, to which I referred, occurred. The next local inquiry is fixed for Friday next to take place at the west side of the Isle of Wight, and it is the subject of that coming inquiry to which I beg to call your Lordships' attention; for, should this scheme be carried out, as indicated in my question, it will simply result in converting into a *mare clausum* for certain hours on certain days in each week the Needles Channel, the most important entrance for all vessels from the westward to the Isle of Wight, and those that are going from the Isle of Wight into the Channel. The evidence of the Artillery officer, who for his local experience was called before the Committee, gives no idea as to the

class and amount and importance of the shipping that passes through the Needles Channel. He stated that few ocean steamers go through the Channel, and none larger than those of the German Lloyds. The witness was I think very much in error. There are numerous other large steamers besides those of the German Lloyds; there are the Hamburg-American, much larger vessels than the German Lloyds; there are the Donald Currie and the Union Cape Mail steamers; there are the West Indian steamers; there are the Brazil steamers. Besides these, there are troopers, and not infrequently men-of-war, passing through the Needles, and the steamers of the London and South Western Railway Company, three or four of which daily cross between Southampton, the Channel Islands, and the French ports; there are some Scotch and Irish traders, and numerous excursion boats during the summer season. But the witness completely leaves out of account the large number of coasting sailing vessels and craft of all description which frequent the Solent; and that is the class which will suffer most if the proposed scheme be carried out. In bad weather frequently the sailing vessels run to the Needles for shelter, and after bad weather one may see twenty or thirty coasting sailing vessels getting under way to go to sea in the Needles Channel. Are these vessels to be stopped or interfered with? I strongly suspect that their captains will not lose the chance of a fair wind and tide in order to obey the instructions of an Artillery officer who wants to fire at his targets, but will pay no heed whatever to such restrictions. I readily admit the very great importance and the very great difficulty in finding stations for the range of these great guns that we have now amongst us; but I am confident the proposed scheme will not avail; it will be impossible to enforce a hard and fast time as to vessels passing through the Needles Channel, unless such enforcement is assisted by a number of tug steamers, aided by despatch or torpedo boats; and I question whether the Admiralty is very anxious to supply these. I hope my noble Friend who is going to answer me will be able to say whether such a prohibition

*Lord Colville of Culross*

against vessels making use of a much frequented and most important waterway can be legally maintained, and why the summer months have been selected when the number of vessels making use of the Solent and the Needles Channel is enormously in excess of the number at any other period of the year. There are also two other classes of the community to be considered: the poor fishermen, and those who are possibly passing their holidays at the largely increasing and popular seaside resorts in the neighbourhood of the Needles; for during the restricted hours fishing boats and pleasure boats will not be permitted to leave the shore. I trust that some consideration may be given to these subjects which I have ventured to urge, and that some more feasible scheme may be adopted. The principal difficulty is with the guns in Hurst Port, which point towards the Needles Channel; for those of the island shore, from their elevated position, can easily be fired across the Channel into Christchurch Bay, which is very little used by shipping. I beg to ask Her Majesty's Government whether it is the case that evidence has been given by the military authorities before the Target Practice (Seawards) Committee in favour of facilities being given for firing the guns in the forts at the Needles entrance to the Isle of Wight during the summer months; and that the Needles passage, and what is called the North Channel, between Hurst Castle and the Shingles Shoal, should be closed for about two hours for several days in each week for sailing vessels of all descriptions, including pleasure and fishing boats, thereby interrupting the coasting trade which is carried on between ports in the English Channel and elsewhere, and those in the Solent?

\***LORD BALFOUR:** My Lords, as this Committee has been appointed mainly at the instance of the Board of Trade, it falls to me to reply to the question of the noble Lord. As it stands on the Paper, it asks whether certain evidence has been given to the Committee, and the answer to that must be in the affirmative; a military officer did give evidence somewhat in the direction indicated by the question of the noble Lord. But



of course the House and the noble Lord will understand that the Department which I represent is in no way responsible for the evidence which is tendered at the inquiry. My Lords, it seems to me that it would be extremely inconvenient and improper if, under the circumstances of the case as they now stand, I were to express any opinion upon the merits of the questions concerned. The noble Lord has told the House himself that the inquiry is still proceeding, and that there is to be a local inquiry close by the spot affected by the evidence to which he has referred. I venture to think that the speech which the noble Lord has made would afford a valuable contribution to the evidence which might be tendered to the Committee, and that, either by himself or by some one equally conversant with the locality, the noble Lord should put before the Committee the considerations which he has put before the House. I think the House will agree with me that while the inquiry is proceeding it would not be right for a Departmental officer to express any opinion upon evidence which is submitted to the Committee; we should wait surely for the Report of the Committee, and when the Committee has reported it will, I venture to think, be time enough for the Department to consider and make up its mind upon such questions as may be contained in the Report. My Lords, I think I shall be following the usual practice if I express a hope that I shall not be asked at this stage to give any opinion as to the merits of the questions concerned.

#### SALE OF GOODS BILL. [ELL.]

##### REPORT OF AMENDMENTS.

Order of the Day for the Report of Amendments, read.

LORD HERSCHELL: My Lords, the Amendments which I propose to move on the Report are either verbal or such as are necessary to carry out the intention of applying the Bill to Scotland—a proposal has been received with general satisfaction there—and also for the assimilation in some respects of the laws of the two coun-

tries, leaving, wherever it is desired, the Scotch law still intact.

Amendments reported (according to order); further Amendments made. Bill to be read 3<sup>a</sup> on Monday next; and to be printed as amended. (No. 115.)

#### LOCAL AUTHORITIES (ACQUISITION OF LAND) BILL,

NOW

#### MORTMAIN AND CHARITABLE USES ACT AMENDMENT BILL.

Read 3<sup>a</sup> (according to order) with the Amendments; a further Amendment made; Bill passed and returned to the Commons; and to be printed as amended. (No. 116)

#### WEIGHTS AND MEASURES

##### (PURCHASE) BILL.

##### THIRD READING.

Order of the Day for the Third Reading, read.

LORD BALFOUR: My Lords, I have to propose one Amendment in Clause 1, page 1, line 8, after ("may") to insert ("with the approval of the Board of Trade"). The only object of the words is to give an opportunity of protecting any vested interests that may be possessed by officers who are employed by the existing authority, and who, unless some provision is made for their protection, might find themselves out of employment without any compensation on the transference of the duties which they discharge to another authority. The Amendment is approved of by those who are anxious for the passing of the Bill, and I hope your Lordships will agree to it.

Moved, "That this Bill be now read 3<sup>a</sup>."—(*The Lord Balfour*.)

Motion agreed to; Bill read 3<sup>a</sup> accordingly; an Amendment made: Bill passed and returned to the Commons.

House adjourned at a quarter past six o'clock.

## HOUSE OF COMMONS,

*Tuesday, 17th May, 1892.*

The House met at Two of the clock.

*PRIVATE BUSINESS.*GLASGOW POLICE BILL (*by Order*).

## CONSIDERATION.

Bill, as amended, considered.

\*(2.10.) MR. HENRY J. WILSON (York, W.R., Holmfirth): Briefly, I will explain how it is I have given notice of the new clause I propose to move. I hope no hon. Member will suppose that the idea suddenly occurred to me to add a clause of this kind to a Private Bill. The Corporation of Glasgow are the promoters of the Bill, and they, among their proposals, brought up a clause (No. 18) similar to this, which, however, was objected to by the Police and Sanitary Regulations Committee, and by the Scotch Office it was thought extreme. In accordance with views expressed in opposition to it the promoters modified their clause. It was twice amended, and the clause I now recommend to the House is in the form in which it was finally put before the Committee. Well, the clause was rejected in Committee by four votes to one. The clause, I may say, expresses the deliberate intention of the Corporation and their expressed desire, because, since the promoters became aware that I had given Notice of a Motion to move the insertion of the clause, the Glasgow Corporation, acting as they do for certain purposes as Police Commissioners, passed a resolution thanking me for the action I had taken and expressing a hope that my Motion may be carried. Now, I think it will not be disputed that Glasgow has set an example to many of the large centres of population in respect to matters of this kind. They have combined repression and police action under the law with voluntary philanthropic and religious action, and they have produced the most desirable results. Then they desire to go a step further—the step which is indicated in the clause. Let me also draw the attention

of hon. Members to the fact that in this proposal there is no new principle, because we find that the principle of making persons found in improper or unlawful places amenable to the law, as well as the keepers of such places, is recognised in the Gaming Act. If the keeper of a gaming house is convicted, so also are the people found in the house liable to punishment. So also, more or less, does the principle apply to licensed public-houses where the keeper of the licensed house is convicted of the offence of selling drink within prohibited hours. We also punish persons found on the premises. There may be other cases in point as precedents for this clause with which I am not acquainted, but certainly I think these two precedents do apply. It is perfectly clear that persons do not keep such houses as these for their own amusement; but whether it is a gaming house or whether a licensed public-house, or whether a person keeps what is called a disorderly house, in each case it is done for purposes of profit, and I think it is useless to punish those who take the money unless we also punish those who tempt persons to these unlawful actions. For instance, in this very Bill we give power to the police of Glasgow to prosecute persons for betting in the streets, and not only the man who is commonly called a “book-maker,” but those who make bets with him are made amenable. I presume the objection will be raised that this is an attempt to create a new offence by a clause in a Private Bill, and that if such should be passed at all it should be as a general law. Now, on this point I may refer to a Bill which came before the Committee just before the Glasgow Bill, and which affords an illustration of what the Police and Sanitary Regulations Committee constantly do. I do not say the case affords an absolute analogy, for this is rarely to be found. But in the case of the Bournemouth Bill a clause was inserted making the prohibition of games and stone-throwing in the streets applicable to the sea-shore. In the same way we made it an offence to play musical instruments by steam, and to use steam engines in a certain way permitted in other parts of the

country. We actually made it an offence for a man to burn rubbish in his own garden if his neighbour thought it polluted the atmosphere. I do not say these are parallel instances, but undoubtedly they are considerable deviations from the general law. There is, then, little force in the objection that this is creating a new offence by means of a clause in a Private Bill. If it is lawful to insert a clause to insure the purity of the atmosphere, then I do not see why, if the Corporation of Glasgow desire it, they should not have this power to assist in the preservation of the purity of the moral atmosphere of their town. I think I need say no more, and will only add, in conclusion, that I have no complaint to make against any of my colleagues on the Committee. They, I am sure, will give me credit for acting honestly in this matter. We have worked harmoniously together on the Committee; and though we have often differed in our opinions and have frequently divided, we have never quarrelled. In this case, however, I feel so strongly that the citizens of Glasgow ought to have this power they desire for the well-being of their town that I venture to appeal to the House from the decision of the Committee.

#### New Clause—

(Penalty for being in house for an immoral purpose.)

“Upon conviction of any person of having kept, managed, used, or knowingly suffered to be used, any building or part of a building for the purpose of harbouring prostitutes for the purpose of prostitution, any person found in the building or part of the building referred to in the complaint on which such conviction has followed at the time to which such complaint and conviction apply, shall be liable to a penalty not exceeding five pounds, if it be proved to the satisfaction of the magistrate that his presence in such building or part of a building at the time referred to was for an immoral purpose,”—(*Mr. Henry J. Wilson*),

—brought up, and read the first time.

Motion made, and Question proposed,  
“That the Clause be now read a second time.”

(2.20.) MR. F. S. POWELL (Wigan): I greatly regret that my first duty in the House as Chairman of the Police and Sanitary Clauses Committee is to discuss this certainly unattractive subject. I acquit the hon. Member

who has moved this clause of any motive not highly commendable. For many years he has been a Member of the Committee; and I may say, as Chairman, there is no Member of the Committee to whom we are more indebted for constant attendance and conscientious discharge of his duties on the Committee with knowledge and ability. Still, my duty remains the same. We have to consider the instructions of the House of Commons and the general regulations which govern the proceedings of the Committee. We are bound not to allow any alteration of the general law except upon strong cause shown. We must have proof that the general law is in an unsatisfactory state, and that it is desirable to alter it in the Bill before us, or there must be some circumstances of a local character, which show that it is desirable for the welfare of the section of the community concerned that the alteration should be made in the locality. I am not aware that in the evidence before the Committee it was shown that either of these conditions arose. We were not told that the present condition of the law in this regard was intolerable in Glasgow, or that in the town there was special need for a clause of this kind. We had before us a member of the Corporation who gave us the only evidence tendered in favour of this clause, and when the learned counsel, Mr. Balfour Browne, asked—

“For what reason do you desire to have this power?”

The answer was—

“Because the brothels of Glasgow would cease at once to exist had the police power to deal with the male patrons of such places, the male persons who frequent them.”

This was the only evidence in favour of the clause, and I may fairly say that evidence of that sort is not sufficient to justify us in altering the general law. There was no evidence to show that the general law was insufficient so far as Glasgow was concerned, and we had no choice in the Committee but to act as we did in pursuance of the instructions given us. My hon. Friend was somewhat unfortunate in his reference to the Bournemouth Bill, because in considering that Bill we rejected clause after clause by virtue of our general

instructions, clauses some of which I personally thought would have been desirable, but which we were bound to object to on the principle laid down. As to the general policy of such a clause, I leave hon. Members to discuss it. My duty is to vindicate the action of the Committee, and I hope I have said enough to show the House that we acted according to our duty, and I trust the House will confirm our rejection of the clause.

(2.25.) DR. FARQUHARSON (Aberdeenshire, W.): Our Chairman has entirely answered my hon. Friend, and has left me nothing to say except that I concur in every word he has said. At the outset I may say I have nothing to find fault with in the action my hon. Friend has taken. My hon. Friend is a staunch and conscientious Member of the Committee, and I regret to disagree on this occasion with one whose mature judgment I highly appreciate, and with whom I usually find myself in cordial concurrence. I will not enter the tempting field of ethical and moral discussion. We had in the Committee to do our work under the instructions and restrictions by which we were governed, and we acted in accordance with our instructions in rejecting the clause. We had three reasons for doing so. In the first place, the clause as originally presented to us was utterly, hopelessly, and absolutely unintelligible; and after an explanation, extending over half an hour, we were unable to find the limit to its far-reaching effect. Even now, in its present form, it is not free from that objection. It is a wide extension of the Criminal Law; and if it is expedient to make the extension, then it should be done in a Statute of general application; it should not be smuggled into a merely local Act. In the Eastbourne Bill we did undoubtedly pass one or two clauses inconsistent with the general law, but why did we do so? Because we had witness after witness testifying to the necessity for such regulations for the peace, comfort, and prosperity of the town. But in this instance we had one witness only who stated the motive for the clause. There is nothing to find fault with in that motive, but he made no attempt, nor did any other witness make the attempt, to show us that

there was anything in the moral condition of Glasgow which made this special clause necessary. It may or may not be; but there was no evidence that the peace, comfort, prosperity, or outward morality of Glasgow required it. In fact, all the evidence went the other way, and to prove that no town could show a better state in regard to outward morality than Glasgow. No local necessity was shown why we should sanction in a local Act this wide, this formidable alteration in the general Criminal Law. We felt that if we passed the clause we should be going beyond the powers entrusted to us, and I unhesitatingly ask the House to support the Committee in the action taken.

(2.30.) MR. McLAREN (Cheshire, Crewe): I support the Motion for the insertion of the clause. I do not agree that all we have to consider is whether the Committee was justified. That is not what we have to consider. It is a matter of indifference to this House, from our point of view, whether the Committee struck out the clause or not. The Committee, in my opinion, were probably justified in striking the clause out of the Bill, because, as the Chairman of it has said, a Committee should only pass clauses embodying new principles of law when there are certain reasons, some of which he named, for doing so. Therefore the Committee may have been right in rejecting the clause and giving notice to the House that it has done so. But now it is for the House to consider whether, on the merits of the case, it will not re-insert it, as the Glasgow Corporation desires. The Corporation itself practically unanimously wishes for the re-introduction of this clause, and on the 9th May, acting as the Police Commissioners, it passed a resolution thanking Mr. H. J. Wilson, M.P., for the proposed restoration of the clause relating to persons found in brothels for immoral purposes, and it also resolved to send a copy of the resolution to the Members of Parliament for the City, with a request to them to support the action of the hon. Member. That shows that the Corporation of Glasgow desire this clause to be inserted in the Bill. For my own part I think it is a good clause, and one that should be

*Mr. F. S. Powell*



made the general law of the country; but before that is done I think it is desirable that in the second City of the Empire this clause should be tried as an experiment. The Glasgow Corporation has for years been interested in repressive legislation of this class, and I am told by Glasgow citizens that the effect of it has been highly advantageous to the morals of the town. If that had not been the result, the Corporation would not desire to go further with it. The fact that they do desire this clause is the strongest possible evidence that can be given to the House that this repressive legislation has been a success so far. It seems to me that the passage from the evidence which the Chairman of the Police and Sanitary Regulations Committee quoted proves the whole case for the Glasgow Corporation. The hon. Member for Wigan (Mr. F. S. Powell) stated that the evidence in support of this clause was that the brothels of Glasgow would cease to exist if the Corporation had power to punish their patrons. What could tell more strongly in favour of such a clause? I presume it is the desire of this House that these places should cease to exist. If that is not so, let the House repeal the law which makes them illegal in England. They are illegal in this country, and I presume the defenders of law and order on the other side of the House wish the law to be carried out. Well, we have evidence that if this clause is inserted the law will be carried into effect, and therefore, Sir, I do urge this House to accept this clause. At all events it is our intention to divide the House upon it.

\*(2.34.) MR. WEBB (Waterford, W.): I wish to say a few words in support of the proposal to insert this clause in the Glasgow Police Bill. Any effort to restrict the traffic referred to in the clause should have, I feel, the warmest sympathy of the House. It is said that this clause is not required; but the evidence given before the Committee points in the opposite direction. I think it would be an advantage rather than otherwise to try the working of this clause in certain towns rather than wait for it to be applied to the whole country. Exceptional legislation has been tried in a great many places. That

has particularly been the case with regard to my own country. If there is one evil against which exceptional legislation should be tried, I think it is that which this clause points at. I do not know a worse crime than that which condemns the unfortunate inmates of these houses to a fate worse than death itself. And then we ought to remember the deplorable results which the existence of these houses have upon property in the neighbourhood. Very often persons find the value of their property greatly reduced, if not swept away altogether, on account of some of these brothels being opened in their midst. I believe a law such as is embodied in this clause will protect localities from the opening of such infamous dens. I, for one, would most heartily support the application of such a measure to the whole country, but I believe that is not possible at the present time. We have, however, an opportunity of now trying—in accordance with the wish of the inhabitants of Glasgow—an experiment of this kind, and I believe it will tend to the best results all over the country.

(2.38.) MR. JOHN WILSON (Lanark, Govan): I wish to take some part in this discussion as a citizen of Glasgow, and as representing a part of the City of Glasgow. It has been pointed out by previous speakers that the action of the police of that city has been successful in ridding the streets of open prostitution, and the authorities are now desirous of endeavouring to root out those places which are given up to the purposes of immorality. I wish to take this opportunity of thanking my hon. Friend (Mr. H. J. Wilson) for his courage in standing up for this clause. The Police Bill for the city has been thoroughly thrashed out by the Local Authorities, and I think this House will consider that they know best what is required for Glasgow, and I hope that hon. Members on both sides will vote in favour of the clause. A great deal has been said by the Chairman of the Committee and by the hon. Member for West Aberdeenshire (Dr. Farquharson) about interfering with the general law. Well, if the general law of the land is such that these houses cannot be suppressed, the sooner it is altered the better. But I

fail to see that this clause will interfere in the slightest degree with the general law, and I hope this House will agree to it.

(2.40.) MR. STANSFELD (Halifax) : I hope this House will favourably consider and adopt the clause which has been proposed by my hon. Friend (Mr. H. J. Wilson). We have no fault—I do not see how the House could find any fault—with the way in which the rejection of the clause has been moved by the Chairman of the Committee, and seconded by the hon. Member for West Aberdeenshire. At the same time, I am not able to agree with the reasons of those hon. Gentlemen. My hon. Friend the Member for Wigan (Mr. F. S. Powell) began by saying that the Committee were restricted by certain terms, I think, in the order of reference. Hon. Gentlemen felt themselves to a certain degree bound by what they understood to be the view of the House in appointing the Committee, and they are perfectly entitled to that view. But I wish to point out that my hon. Friend himself said that the Committee felt themselves bound—as a Committee appointed by this House for a certain specific purpose—not to introduce any change in the general law unless the general law was shown to be unsatisfactory in its nature. Now that is part of the case. We hold it to be eminently unsatisfactory. The clause as amended and now placed before the House is to this effect—that upon the conviction of any person of having kept, managed, used, or knowingly suffered to be used, any building, or part of any building, for the purpose of harbouring prostitutes, that upon these persons being convicted under these circumstances any person found in the building or part of the building referred to in the complaint at the time, if it is proved to the satisfaction of the magistrate that he was there for an immoral purpose, shall be subject to a penalty of £5. I want to know if that is a serious invasion of what is called the general law on this subject? Now, if it be right that the brothel keeper, the mere agent of those who employ him, should be convicted and imprisoned for keeping the place, is it not to be argued that his clients, or customers, or employers, who are found

upon that place at that moment, and who are adjudged to be there for a guilty purpose, should be punished also, instead of being allowed to go scot free? Another proposition advanced in opposition to this clause was that there should be local circumstances suggested when a law of this kind is sought to be applied to one locality. Local circumstances that fully justify the clause have been brought before the House by my hon. Friends on this side. For years the Corporation of Glasgow have been endeavouring, as far as possible, to repress immorality in the brothels and streets of that city. They have successfully administered the existing law as far as it suffices, and they now ask you for a moderate addition to their powers. Is that not a local circumstance which ought to be sufficient to justify special legislation? Now, I must point out how exceedingly moderate and sensible this proposal is. First of all, there is the amplest evidence that the Glasgow Corporation desires it, and the House has listened to one hon. Member for Glasgow who has spoken in favour of it. Secondly, it has been shown that the principle of this proposal, at any rate, is incorporated in the general law. It is analagous to the law under which gamblers are seized in the gaming house, and let me point out that persons found in a private club are treated as participants in the offence which may be taking place there. And then let the House mark the exceeding carefulness and moderation of this proposal. It does not provide that any person found at any time in these places shall be liable to severe punishment, but it provides that when a brothelkeeper is convicted his customers shall not go free. The Chairman of the Committee has said that the Committee felt bound not to entertain this proposal by the terms of the Order of Reference, and they ask the House not to entertain it. I do not see that it would imply a want of confidence in the Committee if the House, in view of the representations of the Glasgow Corporation, did accept this proposal, considering that the Committee felt themselves restricted from entertaining or discussing it. The Corporation of Glasgow are inclined in this case to make what my hon. Friends

*Mr. John Wilson*

call a useful experiment in an admirable direction, and I think we should assist them to do so. I hope this House will take this view, or the view may be forced upon them in a way which will, perhaps, suit right hon. Gentlemen no better than the present. I would ask the House not to refuse a moderate proposal of this kind from a Corporation which has a high character and a long experience which entitles it to make the demand.

(2.51.) DR. CAMERON (Glasgow, College): I cannot allow this question to go to a Division without stating why I shall support this clause. Analogous powers have been granted with respect to the shebeens, and when a police raid is made on them the persons who are found in the shebeen are liable to be brought before a magistrate and punished. That is precisely what is proposed here, and the penalty is not a severe one. You subject the people found in a disorderly house to a fine of £4, and that is a penalty which is attached to all sorts of petty offences. The inmates of an over-crowded room can be proceeded against, and anyone who has looked through police legislation will have noticed that where the punishment of a fine is imposed, £5 is a very common maximum, and I do not see why it should not be attached to cases of this kind. No one will deny that the action of the Glasgow Corporation in endeavouring to suppress disorderly houses is a laudable one. They have succeeded to a large extent, and I am glad to have the support of the hon. Member for Govan (Mr. John Wilson) in stating that a number of these disorderly houses have been driven outside the city, and the occupants have taken refuge in other places. This is eminently a matter on which the citizens of Glasgow should be consulted, and the constitutional exponents of their wants must be the Town Council. This Bill has not been sent up here without ample discussion in the Town Council, and a large number of the clauses have been the subject of very considerable discussion. The Bill has been before the Committee for more than a year; and when it is remembered that the Town Council

of Glasgow have passed a unanimous vote thanking the hon. Member who has brought this matter forward, and asking the Scotch Members to assist him in the retention of this clause, and that this has been done without any protest on the part of any section of the people of Glasgow, I think it will be admitted that a strong case has been made out. There is, unquestionably, a strong feeling in Glasgow that the Corporation should be entrusted with these powers, and I see no reason why they should not.

(2.55.) MR. J. STUART (Shoreditch, Hoxton): I cannot help expressing surprise that no Member of the Government has spoken on this matter. There is the Under Secretary of State for the Home Department, the Lord Advocate of Scotland, the Home Secretary himself, and several other officials, and yet they say nothing about the intentions of the Government. I want to know whether the Lord Advocate, as counsel for the Established Church of Scotland, is prepared to oppose this clause? The City of Glasgow is endeavouring to deal with a great and crying national evil, and it asks that the law, as it relates to these places, shall be assimilated to the law in other matters of the same kind. We have been told that the Committee threw out this clause; but if they did so because they felt that the powers conferred upon them by this House did not permit them to deal with it, I would remind the House that our powers are not limited in that way; and, further than that, it would not be inconsistent for any Member of the Committee who in Committee voted against this clause, for the reasons I have stated, to now support the clause before the House. No one can deny that the House is perfectly competent to deal with this matter, and I think this is a very reasonable, moderate, just, and wise proposal. It seems to me that when a clause comes before us with the local claims that this does, it is curious that it should be opposed, but that the Government should sit still and no doubt silently vote against this clause without stating their reasons for it is more than I can understand. I would move the Adjournment of the Debate rather than that the matter

should pass like this ; but, as I see the Under Secretary (Mr. Stuart Wortley) is about to rise, I will give way to him.

\*THE UNDER SECRETARY OF STATE FOR THE HOME DEPARTMENT (Mr. STUART WORTLEY, Sheffield, Hallam) : No one in this House has better reason than the hon. Gentleman who has just sat down to know the views of the Government on this question, for no one has more fully or more recently availed himself of their known views as the point of procedure here raised. The opinion of the Government is that alterations in the Criminal Law of this far-reaching nature should not be made in Private Bills on evidence that is not before the House, and cannot be before the House. This clause comes before the House in a doubly bad position. It comes before the House as an alteration in the general law in the direction of creating a new offence, and also in the position of having been rejected by the Committee which this House has specially selected for the purpose of ascertaining on sworn testimony, and with the assistance of skilled counsel, whether there does exist in this particular case any local need for legislation. It comes before this House like a charge at a Court of Assize which has been thrown out by the Grand Jury. We had a recent experience in the Eastbourne case of the unwillingness of the House to make a special exception in the Criminal Law—an unwillingness strenuously counselled in the very quarter from which this clause is now pressed upon us. I submit that the House will do well not to entertain such a very far-reaching proposal, except in connection with a measure intended to apply it to the whole of Her Majesty's subjects.

\*(3.0.) EARL COMPTON (York, W.R., Barnsley) : I must say, after having listened to the argument of the hon. Gentleman (Mr. Stuart Wortley), that this case is not on all-fours with the Eastbourne case. The two are entirely different. The Eastbourne case was practically a proposal to rescind a special law granted to a certain locality. What we are now asked to do is to give additional powers to carry out the law which exists everywhere at the present

moment. These disorderly houses require police supervision and the strong arm of the law ; and the ordinary law has been well tried in Glasgow with a view of bringing some sort of order into these houses, or, at all events, to keep them within the limits of the law. The Corporation come now and ask us for additional powers to carry out the law. The hon. Gentleman said the Committee threw out this clause like the Grand Jury throw out a bill at an Assize ; but here, again, I contend that the cases are entirely different. If it were explained that the Committee threw out this clause because they thought it did not come within the province of the inquiry that had been placed before them, that would make an important difference. It seems to me it is perfectly open to the House to give additional powers to a municipal body in order to put down gross immorality which they find cannot be put down without these additional powers. It does not require any great alteration in the Criminal Law, and I think it is a pity that the Government will not assist in these small alterations of the law to facilitate the action of the Local Authorities in putting down the immorality which exists in all the large towns. As far as I can understand, we are only asking that Glasgow should have powers which practically exist elsewhere ; but if it were a question of stretching a point and giving extra powers to a great municipality, I think we might trust them, and the only thing I regret is that they have not the power to do what they ask without coming to this House. It seems to me that everyone who is anxious that immorality shall be restrained as much as possible in our large towns should support this clause which has been brought forward by the hon. Member for Holmfirth (Mr. H. J. Wilson), and I must once more express my regret that the Government should have stated in such very strong language their opinion that this clause would be a bad thing.

(3.5.) MR. COURTNEY (Cornwall, Bodmin) : I shall vote in the same Lobby as my noble Friend who has just sat down (Earl Compton) ; but I scarcely agree with a single word

*Mr. J. Stuart*



he has said. It will be in the recollection of the House that this Police and Sanitary Regulations Committee was appointed by this House in order to prevent unwise extensions of the Common Law. A number of very extraordinary proposals were made in Private Bills, and Mr. Hopwood, who is no longer a Member of this House, obtained the appointment of this Committee in order to restrict the practice and to prevent such cases in the future. The Chairman of the Committee has made a speech this afternoon, and has rested his opposition to the clause entirely upon the motives which prompted the institution of the Committee. He said that the Committee could not, under the powers delegated to them, entertain this clause. I think he is entirely right. The Committee could not have accepted this clause and allowed it to remain in the Bill. But what the Committee could not do, we, the House, are perfectly at liberty to do. It is said that this is a question of law, and it is a proposal to make that an offence which is not now an offence. But we can look at the proposal on its merits and see whether this proposal is one that we are bound to resist, because it will be local in its application. The proposal is that when the keeper of a disorderly house is convicted of keeping a disorderly house, the persons found in the house—and I take it that the clause applies to both males and females—for the purpose of disorderly conduct, and who by their presence may be said to promote disorderly conduct, may be subject to penalties. As the right hon. Gentleman the Member for Halifax (Mr. Stansfeld) pointed out, there is a precedent for legislation of this kind in the Gaming House Act, and there is a precedent in the legislation which was directed against bear-baiting, cock-fighting, and other amusements of that kind, under which not only the persons who promoted them were punishable, but the persons who assisted and encouraged by their presence were also liable to limited penalties. Now, the Corporation of Glasgow, after much discussion and much deliberation, come to the House and ask, in order that they may prevent the commission of that which is an offence under the general

law, that they should be allowed to try a legal experiment. I confess I think there is much to be said in favour of making this the general law, and as it is desired by Glasgow with such unanimity, I am prepared to assent to it. It has been said that this is a new crime, but there is a great difference between crimes and mere police offences, and I see no objection to the clause, and I shall vote in its favour if it comes to a Division.

\*(3.9.) MR. BARTLEY (Islington, N.): All of us who have been at work in the cause of social improvement will realise ~~that some effort is needed~~ to do away with a great deal of the immorality that exists. It is an unsavoury subject, and I am sorry to say that no one can speak on these matters without being regarded as an enthusiast, but we must recognise the fact that something must be done to improve the state of affairs in this country. I do not say that this is what we want, but it is an experiment determined upon by a large and influential body of men who can have no other wish than the improvement of the morality of the great city which they are elected to govern, and I shall be glad to support the proposal.

\*MR. H. J. WILSON: My hon. Friend has asked why the Lord Advocate has not spoken. I can tell him. It is because the Scotch Office has no objection to the clause.

THE LORD ADVOCATE (Sir C. J. PEARSON) (Edinburgh and St. Andrew's Universities): The hon. Member is in error. The Scotch Office reported against the clause on the ground that it was an invasion of the general law.

\*MR. H. J. WILSON: The Committee were told in the Report from the Scotch Office, which I have in my hand, that the clause was too stringent and ought to be modified, and this very important modification was made, that whereas at first the burden of proof was thrown on the accused to show he was not there for an immoral purpose, in the form in which the clause is now presented the burden of proof is thrown on the accuser. A representative from the Scotch Office was present to assist the Committee, and he stated that in its modified form there would be no ob-

jection to the clause. I find no fault with the Committee and entirely agree in what has been said by most of the speakers that those who felt hampered by the Instruction of the House might very well vote against the clause in the Committee, and yet vote in support of it in the House.

MR. HALDANE (Haddington) : I sympathise very much with the general object of those who support this proposal ; but I think it wants more consideration than it has yet received, as it is a most serious alteration of the law. In it two distinct offences are dealt with. One is keeping and systematically using a house as an improper house, and the other is the proposal to convict anybody who is there, not for the purpose of assisting in keeping the house, but for an immoral purpose. You do not in the second part of the clause connect the mind of the person you propose to punish with the substantial offence—the intention to keep an immoral house—struck at in the first part of the clause ; it creates an offence quite distinct from that which is the subject of the earlier part of the clause. The first part deals with persons having kept, managed, used, or knowingly suffered to be used, any building for the purpose of harbouring prostitutes for the purpose of prostitution. That is one thing, but when you deal with the people found in the building, it is a different kind of offence. The clause seems to me to be another illustration of the immense difficulty of trying to alter the general law in special Statutes ; and, while I am in sympathy with every attempt to improve the condition of our great towns, I do not see my way to support my hon. Friends in the case of this particular clause.

MR. PARKER SMITH (Lanark, Partick) : I do not like to go to a Division without expressing my reasons for opposing the clause. In Glasgow, I am glad to say, we have thoroughly pure streets—streets as free from trouble as any town I know ; but this clause, which is now being discussed, does not give any additional power to the authorities either to clear the streets or put down brothels or disorderly houses. The hon. Gentleman who has just spoken is under a slight misapprehension as to that. The police have most stringent

powers elsewhere to put down these houses. This clause does not give additional power to deal with these houses, but the power to deal with individuals who frequent them—that is to say, it makes sexual immorality in itself a punishable offence in any man or woman. I think that is too strong a clause to bring in in a Private Bill, even for the second city of the Empire. It is a matter for argument as regards the general law of the land ; but I do not see that it is possible, either as a matter of general policy, or considering the amount of discussion the provision has had in Glasgow, to bring in a clause so new and going back so completely to ecclesiastical discipline as this would be. Therefore, while I fully recognise the spirit in which those who support the clause are acting, I do not feel that it would be safe to support it. No evidence whatever was given in support of it before the Committee, except an expression of opinion on the part of a member of the Town Council that thereby brothels, and, I suppose, immorality altogether, would be put down. I do not think we have any sufficient foundation for making such a great change in the general law.

MR. WADDY (Lincolnshire, Brigg) : I think the last speaker has entirely mistaken the purpose of the clause. It is not intended to put down sexual immorality ; you never can do that. Why I support the clause is because it appears to be the only manly and Christian way in which this subject can be dealt with. You have already abundant means of punishing the wretched creatures who keep these dens of infamy, but there is one class you do not touch, and that is the men who take the money to these places and keep them in being. If the law is strong enough to deal with the people who take the wages of infamy, let us have the common honesty and decent courage to strike at those men, who now go free, whose patronage keeps these hells in existence. It is because I believe that the clause will strike at the root of the evil that I shall vote for it.

Motion agreed to.

Clause read a second time, and added to the Bill.

Mr. H. J. Wilson

## QUESTIONS.

### GIVING SECURITY FOR COSTS IN COUNTY COURTS.

DR. CAMERON (Glasgow, College) : I beg to ask the Lord Advocate whether he is aware that, while suitors resident in England and Ireland can sue a debtor in Scotland without giving security for costs, a person resident in Scotland or Ireland suing a debtor in an English County Court is compelled, under Order 5, Rule 7, to find security for costs to the satisfaction of the Registrar before a summons is issued; and whether he will endeavour to get this anomaly rectified?

\*THE LORD ADVOCATE (Sir C. J. PEARSON, Edinburgh and St. Andrew's Universities) : I was not aware of the existence of any such difference in practice as is referred to until I saw the question of the hon. Member, and I cannot, therefore, believe that any widespread grievance exists. I will, however, look into the matter.

### NEW POST OFFICE IN LISBURN.

MR. MACARTNEY (Antrim, S.) : I beg to ask the Postmaster General when it is proposed to commence the erection of the new post office in Lisburn?

THE SECRETARY TO THE ADMIRALTY (Mr. FORWOOD, Lancashire, Ormskirk) (who replied) : The Board of Public Works in Ireland report that they expect to make a contract in July next for the erection of the new post office at Lisburn.

### THE AUSTRALIAN MAILS.

MR. HENNIKER HEATON (Canterbury) : I beg to ask the Postmaster General whether he can state the amount paid last year for the conveyance of the Australian mails on twenty-six occasions by ordinary express train from Naples to Calais; whether he can state the amount which would have been payable if those mails had been sent by the special express service from Brindisi to Calais; whether he can state, or estimate, the weights of letters and other mail matter respectively which arrived from Australia by the last Orient Steam Navigation Com-

pany's vessel at Naples, and which were transmitted overland to Calais for London; and whether he will take into consideration the fact that the amount paid for letters by the special train from Calais to Brindisi, and *vice versa*, is ten francs eighty cents. per kilogramme, against four francs per kilogramme for letters charged by ordinary express train from Naples or Brindisi to Calais, and also to the fact that the Australian mails arriving in Naples, and forwarded thence by the ordinary express trains, arrive in London from two to four days under contract time?

MR. FORWOOD (who replied) : The answer to the first paragraph is £5,265; to the second £10,089; to the third, letters and postcards 1,469lbs. 7oz., other articles 14,126lbs. 2½oz.; to the fourth, the amount paid for letters by the special train is not exactly ten francs eighty centimes a kilogramme, but ten francs forty centimes. The contract with the Orient Company is not for delivery in London, but at Naples. The average period of arrival at Naples before contract time in 1891 was two days nine hours, and of the Peninsular and Oriental at Brindisi two days two hours. The conditions of the service are not identical.

### POLITICAL PRISONERS ON THE GOLD COAST.

MR. JOHN O'CONNOR (Tipperary, S.) : I beg to ask the Under Secretary of State for the Colonies what was the date of the last Report from the Governor of the Gold Coast respecting political prisoners confined in that Colony; at what intervals has he instructions to report on their condition, place of confinement, and cause of detention, and how often has he done so since the year 1883; how many political prisoners have been tried and convicted by the ordinary law, and how many detained under Ordinances of the Gold Coast Legislative Council since the year 1883, how many have died in confinement since that date, and how many have been released; are there any persons now detained against whom no charge has been preferred, and, if so, how many, and since when; is Bo Amponsam, late King of Denkera, against whom a charge was made and

dismissed, and who was detained under Ordinance No. 5 of 1888, still imprisoned, and is Geraldo de Lima, against whom a charge of murder was not substantiated and who was detained under Ordinance 15 of 1884, still imprisoned; and, if so, will he be brought to trial or discharged; what legal means is there existing at the Gold Coast of testing the legality of the arrest or detention of political prisoners in that Colony; and will he lay upon the Table the most recent Report from the Governor on these matters?

\*THE UNDER SECRETARY OF STATE FOR THE COLONIES (Baron H. DE WORMS, Liverpool, East Toxteth): The date of the last Report is 28th July, 1891. The Governor has instructions, as I stated in my reply to the hon. Member on the 2nd instant, to report every six months. These instructions were given by despatch dated 20th May, 1891. The Governor will be asked to supply the information mentioned in the third paragraph of the question. The fourth paragraph was answered by me on the 2nd instant. There are five Gold Coast political prisoners against whom no charge has been preferred before the Courts, as their offences are not such as the Courts could properly take cognizance of; but their release would be dangerous to the peace and order of the Colony and Protectorate. Bo Amponsam, ex-King of Denkera, died in Elmina Castle of cerebral apoplexy on 15th November, 1890. Geraldo de Lima is still detained as a prisoner. He cannot now be brought to trial, and in the Report of July last the Governor stated that he could not recommend his release. The subsequent Report which should have been sent in January has not yet been received, probably owing to the Governor's recent illness from influenza; but it has been called for. For information with regard to Geraldo de Lima's past history, I may refer the hon. Member to the Blue Book (C. 4477) of July, 1885, which will show what a dangerous character he is. The answer to the sixth paragraph is that there are no legal means. It has long been recognised by successive Governments that, in the peculiar circumstances of the West African Colonies, it is occasionally necessary

Mr. John O'Connor

to arrest and detain persons in custody under authority conferred by special legislation. The exercise of this power has, however, always been most carefully watched by the Secretary of State, and has only been resorted to when absolutely necessary for the safety of the Colony. As regards the last paragraph, the Report merely records the Governor's opinion that at the date at which it was written it would not be possible to release the prisoners; but I will show the Report to the hon. Member if he desires it.

MR. JOHN O'CONNOR: I beg to ask the right hon. Gentleman whether he has seen a letter recently published in the *Gold Coast* newspaper by Geraldo de Lima, appealing to the English people for justice, having failed to get any justice from several appeals to the Government?

\*BARON H. DE WORMS: I have not seen the article to which the hon. Member refers. But if the hon. Member will read the Blue Book I have mentioned he will find that Geraldo de Lima is one of the most dangerous characters in the country.

MR. JOHN O'CONNOR: What is the date of it?

\*BARON H. DE WORMS: July, 1885.

MR. JOHN O'CONNOR: But does the right hon. Gentleman suppose that the Members of this House are to believe all that is stated by the Governor?

MR. SPEAKER: Order, order!

#### THE MERCHANT SHIPPING ACT.

MR. DALZIEL (Kirkcaldy, &c.): I beg to ask the President of the Board of Trade whether his attention has been called to the constant breaches of the Merchant Shipping Act in the ports of Shields and Sunderland by boarding masters, and particularly by one boarding master named Charles Nielson, of South Shields; whether he is aware that Nielson conveyed ten foreigners from South Shields to Sunderland, placed them on board a tug, subsequently transporting them to the *sa. Burlington*, in the Sunderland Roads, and that the deputy shipping master signed such men, well knowing that they were supplied in contravention of the 147th section of the Merchant



Shipping Act, which provides that it shall be unlawful for any person other than the owner, or master, or mate of the ship, or some person who is a *bona fide* servant, to supply seamen under such circumstances; and whether the President of the Board of Trade will enforce the above section of the Act by taking proceedings against the boarding master for supplying men as aforesaid and also against the deputy shipping master for signing on men so supplied?

\*THE PRESIDENT OF THE BOARD OF TRADE (Sir M. HICKS BEACH, Bristol, W.): The Seamen's and Firemen's Union have drawn my attention to the case of the ss. *Burlington*. I have received a report from the Superintendent of Mercantile Marine at Sunderland, from which it appears that the master of the ship made all the necessary arrangements with the office of the Shipping Federation for obtaining the crew, and that it was at his request that the crew signed on board the vessel. In these circumstances, I do not at present think it is a case for a prosecution; but before deciding, I have directed further inquiries to be made as to the position and action of Nielson in the matter.

#### CADASTRAL SURVEY OF BEHAR.

SIR R. LETHBRIDGE (Kensington, N.): I beg to ask the Under Secretary of State for India whether the Lieutenant-Governor of Bengal has decided to push on the operations for a Cadastral Survey of Behar, notwithstanding the serious distress prevailing there, and the adverse opinion of nearly the whole of the local officers; whether the Government of Bengal has received urgent protests against the measure from the representatives of the tenant cultivators of the province, and whether the Board of Revenue has stated to the Lieutenant-Governor that, certainly in one district, and probably in others, "a general enhancement of rent might result from the Survey"; whether the Lieutenant-Governor has admitted that the result of the Survey will be "an increase of the rents now paid by the most influential among them" (the cultivators), and whether, on the occasion of an experimental Survey made in Behar, the tenants

ran away on the approach of the Survey party, and what is the total amount of the estimated cost of the Survey in the four districts of North Behar that will fall on the cultivators, and through what agency, in how long a time, and by what instalments, will this charge be exacted from them?

\*THE UNDER SECRETARY OF STATE FOR INDIA (Mr. CURZON, Lancashire, Southport): (1.) The present intention is to begin the Survey in parts of two districts of North Behar in October next, by which time, if the coming rainy season is favourable, the distress will have abated. The Secretary of State is not aware of the adverse opinion of nearly the whole of the local officers. (2.) Representations against the Survey have been received, and publicly answered by the Local Government in Bengal. It is the case that the Board reported that there might be an enhancement of rent in the Champaran District. (3.) The words quoted are to be found in a letter from the Bengal Government. The officer who made the experimental Survey reported that the ryots, as soon as they understood the matter—

"Attended the Survey work readily, and took pains to see that their lands and rents were correctly recorded—they took an interest in the proceedings, and recognised the value of the record."

(4.) Neither the proportion of the cost that will fall upon the ryots nor the manner and mode of incidence have yet been settled. The whole cost of the work is not expected to exceed eight annas per acre.

SIR R. LETHBRIDGE: Arising out of the answer of my hon. Friend, I should like to ask him whether the House is to understand that this Cadastral Survey has not been commenced and will not be commenced until the failure or otherwise of the coming monsoon has been established, that is to say not until October; and is it a fact that no appointment to the headship of this Survey has been made in Bengal?

\*MR. CURZON: The latter part of the question of the hon. Gentleman is new, and I shall be glad if he will put it down on the Paper. With regard to the first part of the question, it is the case that the Survey will

not commence, as I said in the opening words of my reply, till October next. Whether its commencement will or will not depend upon the nature of the monsoon I cannot say at this moment; but I believe myself that it will not depend upon that factor.

SIR R. LETHBRIDGE: I beg to ask the Under Secretary of State for India when the Return ordered 8th March will be printed, giving the Correspondence between the India Office and the Government of India on the proposed Cadastral Survey of Behar?

\*MR. CURZON: The Return moved for by the hon. Member, ordered 8th March, has not been ordered to be printed; but the printing of it is not a matter over which the Secretary of State has any control. Perhaps the hon. Member will communicate with the proper authorities.

#### NEWFOUNDLAND AND THE FRENCH SHORE BILL.

MR. MORTON (Peterborough): I beg to ask the Under Secretary of State for the Colonies whether, as reported in the *Times* of the 16th instant, the Newfoundland Assembly have rejected the French Shore Bill, and whether it is correct that that Bill was altered after three of the delegates, Messrs. Emerson, Movine, and Munroe, had left London; and, if so, to what extent the Bill has been altered, and why?

BARON H. DE WORMS: The Bill has been thrown out. The three delegates named left while the negotiations were in progress; when, of course, the Bill had not assumed its final form. But the Premier, Sir William White-way, and Mr. Harvey, who is also a Member of the Colonial Government, remained, and were distinctly understood to hold full power to continue the discussion, otherwise the negotiations must have come to an end. The principle of the Bill—namely, the appointment of Judicial Commissioners and the creation of a Court—had been agreed to before the three delegates left, and the subsequent alterations related to the details of the measure, and could not be explained within the limits of an answer.

*Mr. Curzon*

#### PETROLEUM IN THE SUEZ CANAL.

MR. GROTRIAN (Hull, E.): I beg to ask the Under Secretary of State for Foreign Affairs whether, in view of the petitions of British shipowners representing about five million tons of shipping using the Suez Canal, in which the shipowners strongly protest against the provisional regulations, and the proposed authorisation of the passage of tank steamers laden with petroleum on the waters of the Canal by reason of its climatic and other exceptional conditions; and, in view of the fact that the shipowners' protests have been sustained to the fullest in the Report of the eminent petroleum authorities, Sir Frederick Abel and Mr. Boverton Redwood, Her Majesty's Government will instruct the British Directors on the Board of the Suez Canal to urge, as Directors, upon the Suez Canal Company, that the whole question shall be re-considered, with the object of securing the protection of navigation in the Suez Canal?

MR. AIRD (Paddington, N.) had notice of the following question: To ask the Under Secretary of State for Foreign Affairs whether the Government have communicated to the other Signatory Powers under the Suez Canal Charter the fact that British shipowners, representing over five million tons, have protested against the provisional regulations and proposed authorisation of the passage on the waters of the Canal of tank steamers laden with petroleum, as a danger which threatens the security, the safety, and the freedom from interruption of the Suez Canal?

THE UNDER SECRETARY OF STATE FOR FOREIGN AFFAIRS (Mr. J. W. LOWTHER, Cumberland, Penrith): Perhaps the hon. Member for Paddington will allow me to answer his question at the same time. In answer to the hon. Member for Hull, I have to say that the Report of Sir Frederick Abel and Mr. Boverton Redwood has been referred to the British Directors of the Suez Canal Company. In reply to the question of the hon. Member for Paddington, I beg to say that I think the hon. Member is under a misapprehension. There are no Signatory Powers to whom the sug-

gested communication could be made. The original concessions for the formation of the Company and for the construction of the Canal were granted to M. de Lesseps by the Viceroy of Egypt and confirmed by the Sultan's Firman. So long as the Company complies with the stipulation in the Concession of 5th January, 1856, to treat the flags of all nations equally, Her Majesty's Government have no *locus standi* to interfere with the decisions of the Company.

#### POLYNESIAN LABOUR IN QUEENSLAND.

MR. SAMUEL SMITH (Flintshire): I beg to ask the Under Secretary of State for the Colonies whether his attention has been drawn to the statements by Mr. Hume Nisbet, that in 1886 a labour vessel came into the Maryborough River

"Deluged with blood and filled with wounded men, through a rising of the cargo on board";

and that violence and ravishments are perpetrated by the lawless crews of the labour vessels upon the almost nude native women whom they convey to the labour plantations; whether he has seen Dr. Paton's statement made in 1889, that at a hospital on the Queensland plantations which he visited he found the patients to be nothing but native women and girls about to be confined in child bearing, and that many white children were borne by them; and that multitudes of native women died at the Queensland plantation hospitals from abuse on the plantations; had the Queensland Government anything but the bare word of the ship's agent and crew as to whether returned labourers were landed on their own islands and amongst their own people; and whether he has seen Dr. Paton's statement that in one case many had been landed on an island twenty miles from their home, while the ship's company declared they had fulfilled the conditions; and whether many natives were murdered through being placed amongst hostile tribes; whether it is true that the Commissioner of British New Guinea has forbidden the recruiting of Kanakas from the territory under his jurisdiction; is he aware that on the islands of the New Hebrides from which these

men were recruited twenty-three distinct languages are spoken, many of which are unknown to anyone but the natives, and that in consequence the conditions of their engagements could not have been explained to the natives; and whether in view of these facts, the Government still adhere to their decision to allow the Act to become law?

\*BARON H. DE WORMS: In answer to the first and second paragraphs of the hon. Member's question, my attention has not been drawn to the statement made by Mr. H. Nisbet, nor have I seen that of Dr. Paton of 1889. The Secretary of State cannot accept these statements as correct without inquiry; but the attention of the Colonial Government shall be drawn to them, and they shall be asked to report. With regard to the third paragraph, the Queensland Government Agent is instructed to attend the vessel, and to see that the regulations are carried out. I believe it is a fact that some years ago returned labourers were occasionally landed in error upon other than their own islands. This arose from the difficulty of identifying the islands, which were then imperfectly known. I have not seen the statement of Dr. Paton referred to. As regards the fourth paragraph, the prohibition of recruiting Kanakas in New Guinea is contained in a New Guinea Ordinance of 1888, which was approved by the Queensland Government. In reply to the fifth paragraph, I am aware that there is a great diversity of languages in the islands, and considerable difficulty has, in the past, been experienced as regards interpretation; but this difficulty is diminishing, in consequence of the large number of labourers who have now been returned to their homes from Queensland and other places, and who are able to explain to their fellows the nature of the agreement they are entering into. As regards the last paragraph, I would call the hon. Member's attention to a letter from Bishop Selwyn, late Bishop of Melanesia, which appeared in the *Guardian* of 4th May of this year, in which he says—

"I cannot help feeling that the indiscriminate condemnation of the traffic which has been expressed is likely to do more harm than good. It was true of the traffic in its begin-

ning. It is not true of the traffic as now conducted."

I can add nothing further to the full statement I made yesterday.

MR. JOHN ELLIS (Nottingham, Rushcliffe): I beg to ask the Under Secretary of State for the Colonies whether the Colonial Office is in possession of any Report from the Government of Queensland respecting the manner in which the Kanaka traffic has been carried on since 1886 under the Regulations at present in force; and whether he will lay such Report upon the Table?

\*BARON H. DE WORMS: A Report has been issued annually since 1889 by the Queensland Immigration Department, and printed among the Sessional Papers every year. These Reports will be included in the Papers to be laid before Parliament.

MR. JOHN ELLIS: Can the right hon. Gentleman tell us when he may have them?

\*BARON H. DE WORMS: With the least possible delay. I cannot fix the date.

MR. JOHN ELLIS: Before the Vote on Account?

\*BARON H. DE WORMS: I cannot fix the date; it is impossible.

MR. JOHN ELLIS: I beg to ask the Under Secretary of State for the Colonies whether the Revised Regulations respecting the Kanaka labour traffic have been issued by the Government of Queensland; and whether he will lay a copy of these upon the Table, and also a copy of the Regulations they are intended to supersede?

\*BARON H. DE WORMS: The existing Regulations will be included in the correspondence to be laid before Parliament; and the revised ones, if not received in time for that Paper, will be added in a supplementary one. A telegram has been sent requesting that copies may be sent home as soon as settled.

MR. JOHN ELLIS: Can the right hon. Gentleman state whether it is not a fact that when he was asked a question on this subject he read a telegram to the House stating that these Revised Regulations were either issued or were about to be issued?

*Baron H. De Worms*

MR. WINTERBOTHAM (Gloucester, Cirencester): Did I not understand the right hon. Gentleman yesterday to say that he had telegraphed that all these Revised Regulations should be sent by telegraph, and that they should not be sent by post?

\*BARON H. DE WORMS: No, I did not promise that; I promised to telegraph for them. In reply to the previous question, I am not aware that these Revised Rules have yet been issued, or are in process of revision at this moment.

MR. BRYCE (Aberdeen, S.): Perhaps it would clear up the matter if I asked the right hon. Gentleman the question whether I am right in understanding that there are two sets of Papers—first of all, Papers which he will lay immediately, and, secondly, those Regulations which he will lay when they arrive?

\*BARON H. DE WORMS: Yes.

MR. BRYCE: And will the right hon. Gentleman also say when the Regulations leave Queensland, and when he expects them?

\*BARON H. DE WORMS: I cannot say when they leave Queensland, or when they are likely to be here.

MR. BRYCE: Will the right hon. Gentleman undertake to inquire?

\*BARON H. DE WORMS: I sent a telegram this morning on the subject.

#### LIMERICK FISHERMEN AND THE CONSERVATORS.

MR. PATRICK O'BRIEN (Monaghan, N.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he has any information as to the condition of the two fishermen, Michael Cronin and M'Inerney, who were shot by the Limerick Fisheries Conservators' bailiffs on the 8th instant; whether the revolvers have yet been taken from the bailiffs, or is it proposed to do so; whether he is aware that these fishermen, who have to live by their calling, were duly licensed to fish, and were engaged on their own waters when the chief bailiff's steam launch ran into their nets and destroyed them, and when they resisted they were fired upon; and whether he will cause the inquiry repeatedly asked for by the fishermen into the composition of the



management of the Fisheries Board to be held at once?

THE CHIEF SECRETARY FOR IRELAND (Mr. JACKSON, Leeds, N.): This question is the subject of legal proceedings, and I do not think I can add anything to what I said yesterday; but I shall make inquiry.

#### LABOURERS' DWELLINGS IN DERRY.

MR. MULHOLLAND (Londonderry, N.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether representations in accordance with the provisions of the Labourers (Ireland) Acts have during the last six months been received by the Limavady Board of Guardians from Aghanloo, Myroe, Fruithill, and Lislane; whether any improvement schemes have been prepared by the Sanitary Authority; whether a memorial, in accordance with the provisions of the Labourers Act, 1891, has been received by the Local Government Board from any of these districts; and whether it is his intention to obtain a Report upon the sanitary condition of the cottages in this part of County Derry from the Inspector to the Local Government Board?

MR. JACKSON: Representations have been received by the Limavady Board of Guardians from persons residing in the districts mentioned. The Guardians, after reading reports from the medical officers of health, decided that new cottages were not required in the electoral divisions of Aghanloo and Fruithill, there being several unoccupied houses in those districts. They also decided that the owners of the houses represented to be unsanitary should put them into a sanitary condition. As regards Lislane electoral division, the Guardians are of opinion that it has a sufficient number of houses. In Myroe electoral division they are taking steps for the erection of two cottages. Representations have been received by the Local Government Board on the subject; but, under the circumstances represented, they have decided not to interfere at present with the Guardians' discretion in the cases.

#### COAL GAS STILL.

SIR H. ROSCOE (Manchester, S.): I beg to ask the Chancellor of the Exchequer whether he is aware that several prosecutions have been and are being conducted by the Inland Revenue against Gas Companies, especially that in Sunderland, and against certain chemical manufacturers of the products of coal gas, for infringing an Act passed in 1846 (9 and 10 Vic., c. 90) making it compulsory for every person keeping a "still" to take out a licence for the same, and pay a duty of 10s. per annum, and in default a penalty not exceeding £50; whether stills for the manufacture of gas products have been in use for upwards of thirty years without any attempt to tax them; whether such stills come under the Revenue Act for the prevention of the manufacture of spirits by unlicensed persons; and whether, if the Inland Revenue wish to tax a piece of apparatus which is not used for distilling spirit, he will direct the preparation of an Act of Parliament for the special purpose, instead of permitting an old Act to be used in such cases?

THE CHANCELLOR OF THE EXCHEQUER (Mr. GOSCHEN, St. George's, Hanover Square): There has been a prosecution against the Sunderland Gas Company at the instance of the Commissioners of Inland Revenue for recovery of the penalty of £50 imposed by the Act 9 and 10 Vic., cap. 90, for keeping a still without a licence. The prosecution was heard on the 6th inst. and dismissed, and a special case is to be stated for the opinion of the Queen's Bench Division as to whether the still used by the Company is a still for the keeping of which a licence is required under the Act. In the opinion of the Board of Revenue these stills are capable of being used for the production of spirit. But as the matter is still *sub judice*, I will not express any opinion upon it.

#### CONVICTS IN CHATHAM PRISON.

MR. PATRICK O'BRIEN: I beg to ask the Secretary of State for the Home Department whether James M'Kevitt, sentenced to fifteen years' penal servitude at the Liverpool Assizes, 1881, is still confined in Chatham Prison; why

was he not removed to Portland Prison with the treason felony convicts; when will he be entitled to discharge on a ticket-of-leave; how has he been employed from his conviction to the present; and was he examined by the visitors who took evidence in Chatham Prison in 1890 as to the treatment of treason felony prisoners then confined there; if not, for what special reason was he omitted? The hon. Gentleman also had notice of the following question: To ask the Secretary of State for the Home Department if he will state where the prisoners John Duff, Thomas Callan, and Michael Harkins, whose names are given in the Report of the 19th April, 1890, relating to the treatment of prisoners in Chatham, are at present confined; and what was the date of their convictions and length of their sentences?

THE SECRETARY OF STATE FOR THE HOME DEPARTMENT (Mr. MATTHEWS, Birmingham, E.): The convict James M'Kevitt is still at Chatham Prison, but will shortly be removed to Portland. Arrangements have been proceeding for closing Chatham Prison, and many convicts have been transferred to other prisons; M'Kevitt has hitherto not been one of them. There has been no special reason for retaining him at Chatham. On 1st April, 1893, he will be entitled to discharge, supposing that his conduct has been good. He has been employed as a labourer and as a cleaner. He was not examined by the visitors at Chatham in 1890, whose report states that he was in the infirmary at the time, and that he had informed the Chairman that he had no complaint to make, except as to his sentence. John Duff was convicted on 12th November, 1885, was sentenced to twenty years' penal servitude, and is now at Portland Prison. Thomas Callan was convicted on 30th January, 1888, was sentenced to fifteen years' penal servitude, and is now at Chatham Prison. Michael Harkins was convicted on 30th January, 1888, was sentenced to fifteen years' penal servitude, and was released on licence on medical grounds on 12th August, 1891.

MR. PATRICK O'BRIEN: Can the right hon. Gentleman say what complaint he was suffering from when he was released?

*Mr. Patrick O'Brien*

MR. MATTHEWS: Oh, I cannot say.

#### INLAND REVENUE OFFICERS.

MR. PATRICK O'BRIEN: I beg to ask the Chancellor of the Exchequer whether appeals have from time to time reached the Board of Inland Revenue and Treasury on behalf of the officers of the Inland Revenue, asking for redress for certain alleged grievances, and complaining of class distinctions in the same grade and among officers performing the same or similar duties, and alleging that such distinctions prevent the great body of officers reaching the maximum salary of their grade, and also complaining of the withdrawal of remuneration for the collection of agricultural statistics in England and Scotland, and of certain differences in salary by which certain first class officers get from £10 to £40 per annum more than expectant subaltern officers who hold higher rank; and to be inquired into?

MR. GOSCHEN: Appeals have been made from time to time by officers to the Inland Revenue with reference to alleged grievances; but I must repeat the hon. Member that it is only a year and a half ago since the Treasury examined these grievances in conjunction with the Board of Inland Revenue, and dealt in a broad manner with many of the points which might be proved to give real ground for complaint or show justification for increased remuneration. But other claims of the office they were not prepared to meet; for instance, the claim that classification should be abolished and that practically an officer should be advanced from step to step without selection or examination, simply by seniority. I have several times answered the question referring to the alleged withdrawal of remuneration for the collection of agricultural statistics. In 1890, when the changes which I have mentioned were made in the service, one of the objects was so to readjust salaries as to compensate the officers employed in the collection of agricultural statistics for the withdrawal of the special remuneration for that work. In 1891, I was found that in certain cases the arrangements made would work to the detriment.

ment of a few officers, and further changes were made to insure that no officer should receive less remuneration than he was receiving before. With reference to some minor complaints, I am at this moment engaged in carefully examining them.

#### SCOTLAND AND THE HOUSING OF THE WORKING CLASSES.

MR. SEYMOUR KEAY (Elgin and Nairn): I beg to ask the Lord Advocate whether Section 96 (16), of the Housing of the Working Classes Act, 1890, deprives County Councils in Scotland of all the powers vested in them in the whole of Part 2 of that Act, or only of the powers conferred on County Councils by Section 45 thereof; and, in a county which has not been divided into districts under the Local Government (Scotland) Act, 1889, Sections 77 and 78, to what Public Authority is the Medical Officer of Health bound to report any case of a dwelling unfit for human habitation, under Section 30 of the Housing of the Working Classes Act, 1890?

\*SIR C. J. PEARSON: It appears to me that Section 45 is the only section referred to in Section 96 (16). As regards the second part of the question, the proper authority to report to is the County Council, which, in an undivided county, is the Local Authority under the Public Health Acts, and as such the Local Authority under the Housing of the Working Classes Act, 1890.

#### THE STORAGE OF PETROLEUM.

MR. CAUSTON (Southwark, W.): I beg to ask the Secretary of State for the Home Department whether he is aware that certain Local Authorities throughout the country have, for a considerable time, been issuing notices to dealers and vendors in petroleum (grocers, &c.), warning them that, under the Act of 1871, petroleum cannot be "kept otherwise than for private use, or for sale in certain small quantities," unless the dealer has obtained the necessary licence; and if he will explain what justification there is for such procedure, seeing that the Act of 1871 distinctly defines the petroleum to which it refers as that which, when tested in the prescribed manner, gives off an inflammable vapour below 73

degrees Fahr., and, therefore, does not apply to mineral lamp oils used for domestic purposes, which do not flash below the temperature specified?

MR. MATTHEWS: No, Sir, I have no information as to the issue of such notices as the hon. Member mentions. If they have been issued they do not appear to be justified, in so far as they extend to petroleum to which the Acts do not apply. I may point out to the hon. Member that the Act of 1871, which he quotes, prescribed 100 degrees as the limit to which its provisions apply, and that it was by the Amending Act of 1879 that the present test and the limit of 73 degrees were established.

#### BUSINESS OF THE HOUSE.

MR. SAMUEL SMITH: I beg to give notice that, in consequence of the unsatisfactory reply given by the Under Secretary of State for the Colonies to the questions put to him on the subject of the Polynesian labour traffic, and also of the fact that I am precluded from moving the adjournment of the House owing to the notice placed on the Paper by an hon. Member on the other side, I shall raise the whole question of the renewal of Polynesian labour traffic on the next Vote on Account.

MR. BRYCE: I desire to ask the First Lord of the Treasury if he can now tell us when it is his intention to bring the Vote on Account before the House?

THE FIRST LORD OF THE TREASURY (Mr. A. J. BALFOUR, Manchester, E.): It will certainly have to be done before the Whitsuntide holidays, and I think it may be about the 25th or 26th of this month; but in the absence of my right hon. Friend the Secretary to the Treasury, I would not like to pledge myself to the precise date.

MR. LABOUCHERE (Northampton): May I ask the First Lord how long the Vote will be taken for?

MR. A. J. BALFOUR: I cannot say; but I should think for a month or six weeks.

MR. LABOUCHERE: I should think so, too.

MR. SEXTON (Belfast, W.): I should like to ask the First Lord of

the Treasury whether any representation has been made to the Government by the Irish National teachers in respect of the National Education Bill, and whether he can add anything to what he said last night with respect to the intention of the Government to proceed with it?

MR. A. J. BALFOUR: It will be introduced a week to-day.

MR. DALZIEL: I should like to ask the First Lord of the Treasury when he proposes to resume the discussion on the Burgh Police and Health (Scotland) Bill?

MR. A. J. BALFOUR: At the very earliest opportunity I can possibly find. I am very anxious to complete this stage of the Small Agricultural Holdings Bill, and I think we shall be able to get through it to-day. If that is so, then we shall proceed with the Burgh Police and Health (Scotland) Bill immediately.

#### ORDERS OF THE DAY.

#### SMALL AGRICULTURAL HOLDINGS BILL.—(No. 183.)

COMMITTEE. [*Progress 13th May.*]  
Considered in Committee.

(In the Committee.)

(3.55.) New Clause—

Page 9, after Clause 15, insert the following Clause:—

(Modifications as to preparation, &c. of titles &c., connected with small holdings in Scotland.)

"In Scotland the County Council shall cause to be prepared and duly registered all deeds, writs, and instruments necessary for completing the title of the purchaser of a small holding, and for securing the payment of any unpaid purchase-money, and shall include in the purchase-money the cost so incurred, or to be incurred, according to scales set forth in tables fixed by the County Council.

Provided that—

- (1.) The County Council, if they think fit, may appoint a person duly qualified (in the opinion of the Sheriff) to carry out the provisions of this section, and shall assign to him such salary or other remuneration as they may determine; and
- (2.) The County Council shall not be liable for any expenses incurred by the purchaser of a small holding for legal or other advice or assistance rendered to him on his own employment.

Section 10 of this Act shall not apply to Scotland."—(*The Lord Advocate*),

*Mr. Sexton*

—brought up, and read the first time.

Motion made, and Question proposed,  
"That the Clause be now read a second time."

MR. CRAWFORD (Lanark, N.E.): I am very glad that the Government has responded to the appeal which we made on the last occasion. It would be impossible, I think, to frame a clause precisely on the same principle as an English clause, and I think the Lord Advocate has taken a judicious course in framing his clause on the lines he has done. He has, I think, succeeded in accomplishing the substantial object by providing machinery by which the cost of registration will be largely reduced. He proposes that an officer should be appointed by the County Council on a salary, and fixes the registration at a moderate scale fee. I think that will go a very long way to accomplish the same object as has been accomplished in England by other means.

Question put, and agreed to.

Clause added to the Bill.

(3.57.) — New Clause. — Page 1, after Clause 1, insert the following clause:—

(County Council may lease land in lieu of purchasing.)

"Where land through its proximity to a town or suitability for building purposes, or for other special reasons, has a prospective value which in the opinion of the County Council makes it unsuitable for purchase, the Council may take the land on lease or hire for the purpose of small holdings instead of purchasing it."

—brought up, and read the first time.

MR. JESSE COLLINGS (Birmingham, Bordesley): I beg to move the clause, with a small verbal Amendment. I understand the right hon. Gentleman accepts this clause, and I will not, therefore, detain the Committee.

(4.0.) THE PRESIDENT OF THE BOARD OF AGRICULTURE (MR. CHAPLIN, Lincolnshire, Sleaford): I accept the clause.

Motion made, and Question proposed,  
"That the Clause be now read a second time."

Question put, and agreed to.

Clause added to the Bill.



MR. BARCLAY (Forfarshire): The clause which I beg to propose increases the scope of the Bill without adding to the responsibility of the County Council. A good many landlords in years past have been in the habit of consolidating farms and leaving the small holdings to go into decay, or adding these small holdings to large farms. It is a mistaken policy, and now they are anxious to break up these large farms into small holdings, because they find it much easier to let small holdings than it is to let large farms. The object of this Clause is to facilitate that proposal by enabling the County Council to lend money to the tenant in cases where the landlord agrees with the tenant of the farm. I propose that the County Council shall lend the money on the security of the land, if the landlord gives a satisfactory tenure to the tenant. That tenure shall be a perpetual tenure. That is essential in all cases of small holdings, because without perpetual tenure I do not think the tenants will be stimulated to that improvement of their farms upon which the whole success of this experiment depends. My proposal, therefore, is that when the landlord creates a new holding and lets it to the tenant upon terms which are satisfactory to the County Council, and the main conditions of which are embodied in subsequent clauses standing in my name, the County Council shall be authorised to lend money for building sufficient and adequate houses on the small holdings. I hope the purpose I have in view will recommend itself to the right hon. Gentleman, and that he will be prepared to accept the clause, and look upon it as a valuable extension of the scope of the Bill.

#### New Clause—

##### Loans for Farm Buildings.

(A County Council may lend money for farm buildings on new holdings.)

“For the purpose of facilitating the subdivision of large holdings a County Council may make advances by way of loan for providing suitable buildings on land which has formed part of a large holding, and is to be let as a separate holding, provided the annual value for the purposes of the Income Tax of such new holding is not more than seventy-five pounds, and that the advance in respect of each holding does not exceed two-thirds of the value of the buildings erected thereon.

“The application for the loan shall be submitted to the County Council by the landlord and the tenant, or proposing tenant, jointly, along with the contract or proposed contract of tenancy, plans of the buildings to be erected, and a suitable portion of the Ordnance Survey Map, with the area of the holding delineated in colour thereon,”—(Mr. Barclay.)

—brought up, and read the first time.

Motion made, and Question proposed, “That the Clause be now read a second time.”

MR. CHAPLIN: I entirely sympathise with the objects the hon. Member has in view, but I cannot help thinking the clause is altogether superfluous. If the estate is unencumbered it will be perfectly simple for the owner to obtain money to effect the purpose without going to the County Council at all. But, on the other hand, if the estate is encumbered, then it seems to me that probably the security would be one that the County Council would not be well advised to invest their money in. Moreover, the hon. Member proposes that no loan shall be authorised unless the tenant is to have perpetuity of tenure. That would be importing into our practice in this country a form of tenure which is entirely novel, and to which on other grounds, independently altogether of the question we are now discussing, I should not be prepared to agree. I really do not think anything would be gained by the addition of this clause, and I am inclined to hope the hon. Member will not press it to a Division, for I should not be able, I am sorry to say, to accept it.

Question put, and negatived.

MR. HALDANE (Haddington): I do not see the hon. Member for Stamford (Mr. Cust) in the House, but the clause standing in his name seems to me to be an extremely valuable clause, and I take the liberty of appropriating it and moving it in his absence. The clause proposes that these small holdings, instead of being real property descending to the heir, shall be personal property descending to the personal representative. There is one strong reason why that should be the law. These people who own small holdings have but a limited knowledge of real property, and very often do not make wills. If they do not the pro-

perty will go to the heir, with the result that the widow will be left without any provision. If this clause passes the property will be personalty, and the widow will take a third. It seems to me right that the law should be altered in this way, and it seems to me, further, that it is not contrary to what we are familiar with on the subject, because when small holdings were created in Ireland under the system which obtains there, the small holdings were made personal property by the Government under the Act which they passed last year. It seems to me that what has been done in Ireland ought to be done in England too. Then, again, we have recently, in the Conveyancing Act of 1881, made trust estates devolve as personalty to the legal personal representatives; and certainly there is nothing anomalous or extraordinary in making land so devolve. Land which is held for a term of years devolves in this way at present. There are various other estates which from time to time have been changed from realty into personalty; and certainly we are not infringing any great principle, or making any general attack on the principle of primogeniture which might be unacceptable to hon. Gentlemen opposite, by making this small proposal.

#### New Clause—

(Small holdings to be personal property.)

"Land comprised in a small holding shall be, and shall for ever afterwards remain, personal property, and shall devolve and descend as a chattel real, and all enactments and rules of law applicable to chattels real, both as regards beneficial enjoyment, trusts, and the administration of estates, and all other matters shall apply to such land in like manner; provided, that such land shall not be liable to Probate Duty or Legacy Duty, or exempt from Succession Duty,"—(*Mr. Haldane*.)

—brought up, and read the first time.

Motion made, and Question proposed,  
"That the Clause be now read a second time."

MR. CUST (Lincolnshire, Stamford): I am obliged to my hon. and learned Friend for taking up this clause during my temporary absence. I do not wish at any length to take up the time of the Committee in supporting this clause, although it is one to which I myself,

*Mr. Haldane*

and many of my friends, attach very considerable importance. I am aware that it seems to some hon. Gentlemen, including, I fear, the right hon. Gentleman in charge of the Bill, a novel and almost a startling proposal; but, as a matter of fact, it follows logically and almost necessarily upon the clauses which the right hon. Gentleman has already accepted. As he has already been good enough to accept a series of Registration Clauses, I trust to again hear that he may be willing to give his serious consideration to a clause which follows so naturally upon them. I am not aware that there is a single instance in the laws either of this country, of the Continent, or of the United States of America, where any system of land registration has not gone hand in hand with a clause of this nature; and as the right hon. Gentleman has been willing to adopt the enormous advantages of the system of compulsory registration—exceptional, I admit, to these statutory holdings and not applying to the whole land of the country—I hope to hear that he may be willing to make an exception for these small holdings in this case, for the whole case is exceptional throughout, and to give his favourable consideration to the present clause, and thus complete that land reform, at least with reference to small holdings, which he has already initiated, and confer still further advantages upon the class which he wishes to benefit. I admit that the clause is stated somewhat badly upon the Paper, but it is in no sense original. It has three direct precedents—if not actually legal precedents in form, at least precedents for the principle which it proposes. First we have the Land Registration Act of Ireland, which was passed last year, by which it is actually laid down that all land purchases under the Irish Land Act of 1891 shall be treated as personal property. Next we have the Land Transfer Bill, which has been introduced by the present Lord Chancellor in another place on more than one occasion, and which directs that the same principle which this clause embodies shall be applied to the whole land of the country. And, third, we have that which, if not a precedent, is at least a very close analogy—the system by which land

lying in trust for sale in this country is for the whole of the period which may intervene before it is disposed of (and that period may be one of considerable length)—treated as personal property. I do not wish to detain the Committee by entering at any length into the various distinctions between real and personal property, and I can only lay before the Committee as shortly as possible what will be the practical results of the adoption of this clause. During the lifetime of the owner very little change will be felt, except possibly in additional facilities in the sale and transfer of his land; but it is in cases of death and succession, more especially in cases of intestate succession, that the full benefits will accrue. I desire to remove two possible causes of alarm to which this proposal has given rise. The first is that it would in any way alter the testamentary freedom of property holding, and the second is that it would interfere at all with the present financial arrangements or burdens which rest upon the land, whether Succession Duty, or rates, or whatever public burden it may be. Such charges would remain wholly untouched by this clause, and wholly unaffected. As to the other point, the testamentary freedom of the small holder, even under this clause he would be absolutely free to make what will he chooses for the disposition of his estate, as he is at the present moment. But it is in the case in which he makes no will and dies intestate that this important and valuable alteration in the law will be felt. What happens under the present state of the law? The heir-at-law may be either the eldest son, who may practically reduce his brothers and sisters to poverty, or he may be some distant male relative, who may reduce the widow to beggary. I will give an instance of what has occurred in this direction. It is the case of a labouring man and his wife. The wife unexpectedly inherited £700 or £800. The money was put into the bank. A will was made so that the money was left to the wife. Some years later the man and his wife purchased a plot of land and erected a house upon it, and in their ignorance they had no idea that the Law of Succession had changed. The

husband died, and a nephew was declared heir-at-law, the widow being reduced to the position of a servant on the land which her money had purchased. Such a case as this is far from being an uncommon one—there are plenty of instances of the kind to be found up and down the country. There are two cases of a somewhat similar kind at the present time in my own Division of Lincolnshire. I would remind the Committee that although the sums of money in question in such cases are small they are relatively of importance to the persons concerned, and the amount is soon eaten up by litigation. What would be the result of the adoption of this Amendment by the Government? First, the entire property would pass at once into the hands of the administrator, who would be required to settle immediately, so far as the estate was concerned, all claims against it; secondly, instead of the son or a remote male relative succeeding to it, to the total exclusion of the widow or the family, the value of the estate would be divided amongst the family. It may be asked, Why make such an innovation? I would answer it is not an innovation in any sense, because it is based on the action of Parliament last year. Then, again, the holdings we are now dealing with are created solely by Statute; therefore this clause would upset no existing arrangement, and it would do wrong to no one. On the contrary, it would benefit those who most require to be benefited. It is with the object of providing a remedy for the distress, the serious injustice, and the gross grievances which exist that I bring forward this Amendment, and I trust that the right hon. Gentleman will give it his full and careful consideration.

(4.15.) MR. JOSEPH CHAMBERLAIN (Birmingham, W.): I am sure we are all much indebted to the hon. Member for having brought up this subject for our consideration. I sincerely trust that the right hon. Gentleman will be able to give the clause his approval. I do not think it is much to ask from the Government, because, as to the principle of the clause, it has already been accepted as part of the Government programme. Not being a lawyer, I should hesitate a great deal in offer-

ing an opinion as to the meaning of legal phraseology. It may be that the wording of this clause is somewhat defective; but as to the object of the Mover we can have no doubt whatever. It is to prevent grievous injustice being inflicted by dividing, after a man's death, the property he leaves in a way which he himself, if alive, would not have approved. That principle has been accepted by the Government in a measure which they have proposed to the House. That measure was not passed, because of difference of opinion with regard to some of its provisions; but on this question of dealing with primogeniture there cannot be any difficulty whatever with regard to the principle. What I particularly want to impress upon the Committee is this—that whatever may be the feeling of hon. Members with regard to the general principle of primogeniture, there cannot be any possible objection to dealing with it as is proposed in this particular clause. In many cases the people whom you are going to put upon the land do not make their wills, or, if they do make them, they may possibly be found afterwards to be invalid, and their desire that the estate should be divided amongst those who are dearest to them is frustrated. The additional argument which has suggested itself to me is that in dealing with this land the work of the woman is undoubtedly of extreme importance, because if small holdings are successful it will be largely due to the wife's management of the poultry yard; and it will be an additional hardship if those who have contributed to the success of the holding should, on the death of the owner, find themselves deprived of any further benefit from it. I do not think that the question needs very much argument, and I sincerely trust the Government will see their way to accept the Amendment.

MR. A. E. GATHORNE-HARDY (Sussex, East Grinstead): I rise at this moment to say that I am particularly anxious that the right hon. Gentleman should give this Amendment his most careful consideration. He should know that there is on this side of the House a very strong feeling in favour of it. Those who buy their holdings will, no doubt, do so because they be-

lieve that the property will afterwards be divided between their widows and their children. They would not like it to go to a distant relative. It is because I believe that great hardship will result if this Amendment is not adopted, that I would ask the right hon. Gentleman to agree to it.

BARON F. DE ROTHSCHILD (Bucks, Aylesbury): I would not have spoken upon the question had I not represented an agricultural constituency. It is my earnest wish that this Bill should meet with unqualified support. I have found in my constituency that the agricultural labourers have a horror of the word "primogeniture." It is one which they cannot understand, and I therefore hope the right hon. Gentleman will give the Amendment his most favourable consideration.

\*SIR W. B. BARTTELOT (Sussex, North-West): I wish to say a few words on this very important Amendment. In making a great change, such as that contemplated by this Amendment, plenty of time should be given to consider it. No one wishes more than myself to see this Bill made a fair, full, and complete Bill; but this question is one which I think ought to be dealt with in a measure by itself so as to give full opportunity for its discussion on each stage. My hon. Friend who moved the Amendment pointed out very clearly what has been done in regard to registration in America and other countries that have adopted registration.

A hon. MEMBER: Ireland.

\*SIR W. B. BARTTELOT: Well, Ireland does not come into the question, as Ireland is an exceptional case in the way it has been dealt with. Are you going to cast a slur on those you wish to see small holders of land by saying that with the education they have received they will not be able to make a will in conformity with their views and opinions, and thus do what they wish with their own? If education does not teach them this, the first thing they should learn as soon as they have got the property is how to make a will, so that they may be able to leave the land to whom they like. I should also like to ask, Is this property to remain under the law of personalty,

*Mr. Joseph Chamberlain*



or to again go under the law affecting realty in case pre-emption is granted and it is bought by the original owner? I think that is an important question, and deserves consideration. And then, with regard to the rates, my contention is that if it is to be made personal property it should be excused from the rates, as is the case with personal property. As to the law of primogeniture, I must say that I have never understood it is in such disrepute among the lower classes as the hon. Member for Aylesbury (Baron Rothschild) appears to think. I have always been of opinion that they are anxious, if they have property, to leave it to their eldest sons, so that it may be handed down to their children. ("No, no!") Some hon. Gentleman says "No, no," but that has occurred in many cases I have known. But, be that as it may, I have never heard it said before, and if I had not known the opinions of the hon. Member who spoke, I should say he was one of those who are anxious to make an attack upon property.

**BARON F. DE ROTHSCHILD:** If this Amendment is passed it will not prevent anyone making a will and leaving his property to his son.

**\*SIR W. B. BARTTELOT:** Quite so, if he makes a will; but the object we have in view would be secured better without this proposal. I hope my right hon. Friend (Mr. Chaplin) will carefully consider the nature of this clause. It is an innovation to ask the Committee to make changes of such grave importance without giving the House an opportunity of discussing them most fully.

**\*MR. WHARTON** (York, W.R., Ripon): I think the right hon. Gentleman will see there is a strong disposition to view this clause favourably. It seems to me, however, that this proposition is mixed up with the question of pre-emption. The one depends considerably on the other, because if this is to be made a question of personal property the point that would arise is, what should be done if it is re-sold to the original owner? Will it then remain personal property, or become again real property? This is one of those matters which should be deferred for Report, as it affects others

already left to that stage. I hope the right hon. Gentleman will see his way to take that course.

(4.35.) **MR. CHAPLIN:** I frankly own that there is something extremely attractive to myself and others in the proposition of my hon. Friend, and it has been made not less attractive by the able and sympathetic speech in which he introduced it to the notice of the Committee. But there are some considerations of a practical character which I think deserve the attention of the House before we come to a decision. I think the argument adduced from the case of Ireland was in no way complete. The same principle, it is true, has been adopted in Irish legislation; but there was a reason for it in the case of Ireland that does not exist here. In Ireland there were a vast number of leasehold properties which by the legislation of some years ago were converted into ownerships, and the people who had been accustomed to treat these leasehold properties as personal property never became habituated to the change in the law, and continued to treat them as personal property, although they had become real property, and the law was, therefore, altered to meet their case. Then my hon. Friend pointed out a case in which he showed that great hardship had arisen to the family of a small owner of land, because of the ignorance of the law which existed at the time, and owing to which the whole of the property was divided amongst relations to whom it was never intended to go. Well, I sympathise very much with the hardship in that particular case; but I do not think we should be wise to initiate legislation because of individual cases of hardship. But, Sir, I want the Committee to consider for a moment what are the practical objections to this proposal. It is one with which I myself have full and entire sympathy, and when the hon. Member appears to think that there is something of so novel and startling a character in this proposal that it would probably alarm me so much that I should not assent to it, I would remind him that there is nothing novel and startling in it at all. The precise principle has been adopted by Her Majesty's Government in the

Land Transfer Bill which was introduced into the House of Lords; and, therefore, it is not because of anything novel and startling in the proposal that I oppose it. I see considerable practical difficulties in the way of carrying it out with regard to one particular class of landed proprietors, and one particular class alone. Now, take the case of a small holding that reverts possibly to its original owner and ceases to be held for that purpose. There you have the owner holding his land under two different titles—under one of which it is real property, and under the other personal property. My right hon. and gallant Friend (Sir W. Barttelot) has also raised the difficulty with regard to the rates, and I am bound to say it seems to me to be a matter of great inconvenience that by passing a clause in Committee in the House of Commons one afternoon we are suddenly to create two classes of landed property in this country. I think these are considerations which ought to engage the attention of the Committee before we come to a decision on this subject. It has been frequently pointed out in the course of the Debates on this Bill that one of the things we should, above all others, guard against with regard to these small holdings, is their possible sub-division in times to come. But surely, if we adopt this proposal, we shall be doing more to facilitate the sub-division of these holdings than anything else I can imagine. I hope, Sir, for the reasons I have stated—although I am entirely in sympathy with the object of the clause myself—that the Committee will come to the conclusion that it is too large a question to be hurriedly settled in an afternoon towards the close of the discussion on a Bill. Although there is no doubt that on the first convenient opportunity the present Government will endeavour to carry out the proposals they have made already on the subject, I strongly recommend the Committee on this occasion to abstain from supporting the proposal of the hon. Member.

\*MR. SHAW LEFEVRE (Bradford, Central): It appears to me that the arguments which the right hon. Gentleman (Mr. Chaplin) has adduced against this proposal might have been

*Mr. Chaplin*

fairly urged against the proposal in respect to small holdings, carried by his own Government under the Ashbourne Act. The main argument of the right hon. Gentleman has been that it is not desirable to create two classes of ownership of land under different forms of succession in the case of death. But that has been done in the case of the small holdings under the Ashbourne Act; and I may remind the right hon. Gentleman that not only did this apply to future purchasers under the Land Purchase Act of last Session, but also retrospectively to all land sold to tenants under the Ashbourne Act. Therefore, the strongest argument that can be conceived in favour of this proposal is that its principle is already embodied in Acts which the present Government have placed on the Statute Book. The right hon. Gentleman further said that it would make a great difficulty in the case of land being redeemed by its former owner under the clause which he has promised to bring up on the Report; but I think it would be quite possible to consider that question when the clause relating to the redemption of land by the former owner comes before the House. But let me point out that the land redeemed in that way would cease to be a small holding under this Bill, and consequently it would revert to the ordinary law of the land. For my own part, I venture most sincerely to hope still that the Government will take into consideration the strong feeling on the other side of the House in favour of this proposal and give appearance of many of the small holders in the past has been largely due to the great complications attending transactions connected with the succession or transfer of land. If we had the general rule of applying the law of personal property to land—especially to small holdings—we should not have had to resort to this exceptional and artificial system of creating small holdings. Under these circumstances, I think that the House opinion on both sides may do well to yield upon this point, and of the Bill that on the Report stage for the purpose they will bring up a clause for

pose of carrying into effect the important suggestion of the hon. Member.

(4.44.) MR. CUST: The right hon. Gentleman (Mr. Chaplin) has said that the hardship which exists under the existing law is exceptional, and that on that account we ought not to make a change of the sort now proposed. So far from being exceptional, it is a hardship that is almost universal. It is a mute hardship, and for very natural reasons. People who suffer from it have not the opportunity or knowledge to bring the matter before public notice. The only people through whom that can be done are the local lawyers, and they, for very natural reasons, do not desire to see this change in the law. With regard to the right hon. Gentleman's objection that we should have two classes of property, I will offer two remarks in answer. Surely it is unnecessary to talk about the danger of having two different classes of property when we are speaking of the English Land Laws. If we had a symmetrical Code, nicely cut and dried, then there would be some reason against making a disturbance; but while there exist such absurdities—and how can we expect labouring men to know them?—as a leasehold for life being personal property and a freehold for life real property, or that shares in a Water Company are personal property and shares in the New River Company are real property, it is unnecessary to discuss this question as if it would interfere with a delicate symmetry. Another point raised by my hon. and gallant Friend behind me was that it would be an innovation far too great to introduce on a side issue. But this innovation is not one bit greater than the principle of registration which was swallowed whole by the Committee on Friday night, and which has opened up the way for the change now proposed. In every other country the two changes have gone hand in hand, and it does seem to be a case of straining at a gnat and swallowing a camel for the Government to accept the principle of registration of land, and then absolutely refuse to take what follows. The question as to whether the acceptance of this proposal would make small holdings personal property in cases where the land is redeemed by its original owner might be

held over until the Report stage; and if the right hon. Gentleman will agree to that, I am sure we shall be willing to meet him. Otherwise, I think there is a strong feeling amongst hon. Members on this side, as well as on the other side, that we should take the sense of the House upon this clause.

\*(4.47.) MR. DARLING (Deptford): If there be such a strong feeling on this side of the House as a majority in favour of this proposition I am the more proud to say that I do not share that opinion. This appears to me to be a much smaller question than it has been represented to be. It is a mere matter of how land shall devolve where the tenant dies intestate, but it has been stated that in the majority of instances he will die without a will. In that case, I believe one of the chief merits of this Small Holdings Bill will be gone if this proposition is accepted, because if the tenants die intestate there would then be a distribution of the land, or its price, amongst the personal representatives. To my mind, the great merit of this Bill as it now stands is that one person will succeed to the property, which would not happen if the property was sold whenever a tenant died intestate. This proposal is founded on what makes the worst kind of law; that is, on cases of individual hardship. To alter the law of England simply because a few people make bad wills is to make a great change for a very small reason. If it be true that the Government contemplate making a change one day in the devolution of real property, let it be on a general Bill. I would point out that the one kind of property where the rule of primogeniture is most useful is that of small estates. Everybody, except the Radical agitator, knows that the great estates of the country do not devolve because of the rules of primogeniture, but because of the law of settlement. The principle of primogeniture affects small estates, where there is no settlement, far more than large estates; and it is because I consider it far better that these small holdings should be year after year in the same family rather than be constantly thrown upon the market that I shall oppose this clause.

MR. CHAPLIN: I have heard nothing in the course of the discussion which has removed my objections to the clause for the reasons I have already stated. At the same time, I recognise that there is a strong feeling on the part of the Committee, with which I sympathise; and if it will meet the views of hon. Members, I will undertake to re-consider the matter with a view, if possible, to deal with it on the Report.

MR. H. H. FOWLER (Wolverhampton, E.): I think we should quite understand the meaning of the right hon. Gentleman. Re-considering a question may mean re-considering it with a view to its rejection as well as with a view to its acceptance. If the President of the Board of Agriculture says that he now accepts the principle that this property is to descend as personal property, and that all he wants is an opportunity of considering details, we need not prolong this discussion for another moment; but if he is not prepared to accept the principle, then this House should express an opinion upon it.

MR. CHAPLIN: I said that I would re-consider this question with the view of dealing with it on the Report.

MR. WADDY (Lincolnshire, Brigg): I think the Committee should know what that means.

MR. CHAPLIN: I mean that we should postpone dealing with this question till the Report stage in order that I may examine into it. I might possibly on further consideration find it impossible to accept the proposal, and if so I should not consider myself pledged to go on with it. The House would then have the opportunity of discussing the subject on an Amendment moved by anybody else, but my intention is to re-consider this question with a view to accepting the principle of the proposal.

MR. HALDANE: As I recognise the desire of the right hon. Gentleman to deal with this question, I will ask permission of the Committee to withdraw the Amendment.

Clause, by leave, withdrawn.

(4.55.) MR. HALDANE: I beg to move that the following clause be inserted in the Bill:—

(Extension of Provisions of Settled Land Act, 1882.)

“Where a tenant for life within the meaning of ‘The Settled Land Act, 1882,’ sells, exchanges, or leases any settled land to a County Council for the purposes of this Act such sale, exchange, or lease may be made at such a price, or for such consideration, or at such rent as, having regard to the said purposes, and to all the circumstances of the case, is the best that can be reasonably obtained, notwithstanding that a higher price, consideration, or rent might be obtained if the land were sold, exchanged, or leased for another purpose.”

The object of this clause, which is of a technical nature, is to enable life tenants and limited owners of land to sell more cheaply and freely than they otherwise would be able to do. As the Bill is now framed, a life tenant or limited owner who desires to sell must take advantage of the Land Clauses Act, and thus incur the expense and go through the formality of appointing two arbitrators. I understand it is the view of the Government that some Amendment for getting over that difficulty is necessary, and I gather from the hon. Gentleman (Sir R. Webster) that he is prepared to accept this clause.

Clause brought up, and read the first time.

Motion made, and Question proposed, “That the Clause be now read a second time.”

THE ATTORNEY GENERAL (Sir R. WEBSTER, Isle of Wight): I shall be prepared to recommend my right hon. Friend (Mr. Chaplin) to adopt this clause, subject to further consideration before the Report stage, as to whether an alternative machinery could not be devised with the view of providing proper safeguards as to price.

Motion agreed to.

Clause added to the Bill.

MR. HALDANE: I have now to move the following clause:—

(Power to Limited Owner to Sell at a Fee Farm Rent.)

“A tenant for life within the meaning of ‘The Settled Land Act, 1882,’ may grant the settled land, or a part thereof, to a County Council for the purposes of this Act in perpetuity, at a fee farm or other rent secured by condition of re-entry, or otherwise as may be agreed upon.”



The reason that this clause is limited to England is on account of the scandalously backward state of entail in Scotland. In England we have mended the laws over and over again; but in Scotland, when we have mended them, it has been only to put them a quarter of a century behind those in England. If I blame one party more than another for this, it is the party to which I belong. In 1882, the Settled Land Act was passed for England at the suggestion of Lord Cairns, but in Scotland an Act was passed of the most meagre description, and provisions were deliberately inserted in it which made it impossible for freeholders there to have the same scope as those in England. I regret very much that I cannot apply this clause to Scotland.

Clause brought up, and read the first time.

Motion made, and Question proposed, "That the Clause be now read a second time."

MR. CRAWFORD: The hon. and learned Gentleman has delivered a speech of a kind I have often heard. We are told that the position of the law is such that it is necessary that we should be shut out from something. It is unfortunate that the Lord Advocate is not here to give us the information, for I suppose the Attorney General will profess once more his entire ignorance as to whether this clause would apply to Scotland.

MR. HALDANE: There is no doubt about the matter. The particular part of the Bill to which this new clause refers could not possibly apply to Scotland, because of the Act which has been mentioned.

MR. CRAWFORD: On the last occasion the Attorney General said he did not know whether it would apply to Scotland or not.

SIR R. WEBSTER: Indeed, I said nothing of the kind.

MR. CRAWFORD: It may be well worth the consideration of the Government whether in regard to entailed property it would not be well to include Scotland. With respect to this matter, the Member for Haddington (Mr. Haldane) is under a habitual mistake. He forgets that the land which would be described as settled land in

England is in Scotland governed by the law of entail, and there are ample provisions for giving facilities to deal with this land. I would press upon the President of the Board of Agriculture that he should communicate with the Lord Advocate on this matter.

Question put, and agreed to.

Clause added to the Bill.

\*(5.10.) SIR W. FOSTER (Derby, Ilkeston): I beg to move the following New Clause:—

(Rating of small Holdings.)

"For the purposes of poor rates and of all other rates the rateable value of a small holding shall be taken to be the same as that of agricultural land of the like quality in the neighbourhood of such small holding, and the rateable value of a small holding shall not be estimated from the rental where such rental exceeds that of such agricultural land as aforesaid, by reason of (a) the price which has been given by the County Council for the land of such small holding, or (b) the legal expenses of transfer thereof, or (c) other expenses of the Council in relation thereto which have not increased the value of the land."

After the Allotments Act was passed there was a complaint about the heavy rating, and I should be sorry to see the same difficulty arise in this matter. In some parts of Suffolk the allotment holders were rated in some cases four times as high as the farmers; and in consequence of the widespread feeling of the general unfairness of this, a Bill was brought in making special provision that the allotment holders should be rated under the provisions of the Public Health Act of 1875. But in spite of that experience there is no provision in the present Bill to prevent injustice in the way of rating being practised on the small holders. I am not wedded to the special form of clause that I have put on the Paper; but I hope the right hon. Gentleman will accept some words which will secure the object I have in view—that of protecting these small holders from excessive rating. The land, in the first place, will have been bought at a high price, and that price increased by the necessary legal proceedings, and the rent will consequently be very much in excess of the agricultural value of the land. The consequence will be that while a farmer is rated at 25s. or £1 an acre, the small holder will have to

pay on 30s. or £2. If we apply the provisions of the Public Health Act and also pass this clause we shall prevent considerable injustice and agitation, and I hope the right hon. Gentleman will accept the clause.

Clause brought up, and read the first time.

Motion made, and Question proposed, "That the Clause be now read a second time."

MR. CHAPLIN: If the contingency foreshadowed by the hon. Member were to arise, it would be wise to put in a clause like this; but I do not think it is likely to arise, nor do I understand from the hon. Member that the clause is necessary. He says the rateable value should not be higher than that of other holders or farmers in the same neighbourhood; but I do not see how the fact that they are likely to be rented higher than their neighbours affects his argument. The rateable value is not estimated on the rental alone, but on the rental at which the land might reasonably be supposed to let from year to year. Therefore, I do not see that the clause would be necessary; but if, on examination, I find there is any reason for apprehending the danger which the hon. Member has foreshadowed, I shall be ready to deal with it in a manner which I hope will be satisfactory to the hon. Member.

\*SIR W. FOSTER: A difficulty has already arisen on the Allotments Act. However, as the right hon. Gentleman has promised to examine into the matter, I will withdraw the clause

Clause, by leave, withdrawn.

MR. THOMAS ELLIS (Merionethshire): I beg to move, in page 5, after Clause 7, to insert the following clause:—

(Power to attach grazing rights, &c. to Small Holdings.)

"Where any right of grazing, sheepwalk, or other similar right is attached to land acquired by a County Council for the purposes of small holdings, the Council may attach any share of the right to any small holding in such manner and subject to such regulations as they think expedient."

This clause is the result of a discussion which took place on the first clause of the Bill.

Sir W Foster

Clause brought up, read the first and second time, and added to the Bill.

\*MR. SEYMOUR KEAY (Elgin and Nairn): I beg to move the following clause:—

(Limitation of Advances.)

"No advance shall be made by a County Council under this Act for the purchase of any holding, for the purchase of which any advance has been already made under this Act, until the perpetual rent-charge and the entire annuity for the repayment of the advance shall have been redeemed or repaid."

This clause, which is the last on the Paper, is taken bodily from the Irish Land Purchase Act, Section 9, Sub-section 4. So far as I am concerned, I should be perfectly satisfied if the clause stopped in the middle, because my object is merely to prevent the sale and re-sale of land from owner to owner by means of advances of public money made over and over again on the same land. The clause was inserted in the Irish Act, because it was shown that there had been re-sales under the Ashbourne Act, in which the landlord, having got a tenant to buy at a ruinously high price, bought back the holding from the defaulter at half what he had originally received for it, and then effected a fresh sale by means of a fresh advance from the public Treasury. When I moved this Amendment to the Irish Bill, the clause only went as far as the word "Act" in the middle of the now proposed clause, and the Government insisted on the words at the end being added. They recognised a defect in the law, but they declined to accept my Amendment unless words like these which now appear were added. The words were added, and the clause made part of the Bill, and that is why these latter words stand in the clause which I now submit to the Committee. I trust, therefore, that the Government will have no difficulty in adding to the Bill either the words of the Amendment or the first three lines of it as far as the word "Act."

Clause brought up, and read the first time.

Motion made, and Question proposed, "That the Clause be now read a second time."

MR. CHAPLIN: I have read the clause, but I am unable up to the present to see any advantage to be gained by adding it to the Bill. I hope the hon. Gentleman will not think I am discourteous in any way; but with every desire to ascertain in what way the Bill would be improved by the insertion of this clause, I confess I am unable to see it.

\*MR. SEYMOUR KEAY: Will the right hon. Gentleman explain in what sense he differentiates this present Bill from the Land Purchase Bill of last year, in which the Government accepted the Amendment as a great improvement on the Bill?

MR. CHAPLIN: The circumstances are totally different. I have rather avoided framing this Bill on the lines of the Irish Act, the conditions of the two countries being so entirely different.

Clause, by leave, withdrawn.

MR. JESSE COLLINGS: Will the Bill be printed as amended, and circulated? [Mr. CHAPLIN: Yes.] I wish to congratulate the right hon. Gentleman on the skill and success with which he has piloted the Bill through Committee, and on the character of the Bill so far as it goes.

Bill reported; as amended, to be considered upon Monday next and to be printed. [Bill 355.]

#### BURGH POLICE AND HEALTH (SCOTLAND) BILL.—(No. 230.)

COMMITTEE. [*Progress, 6th May.*]

Considered in Committee.

(In the Committee.)

#### POSTPONED CLAUSES AND SCHEDULES.

##### Clause 115.

On Motion of Sir C. J. PEARSON, the following Amendment was agreed to:—

Page 47, line 8, after "The," insert "Commissioners shall keep properly swept and cleansed."

On Motion of Sir C. J. PEARSON, the following Amendment was agreed to:—

Page 47, line 8, leave out all after "street" to end of clause, and insert "so far as is reasonably practicable, and shall collect and remove from the said foot pavements, so far as is reasonably practicable, all dust, ashes, rubbish, filth, and snow."

VOL. IV. [FOURTH SERIES.]

(5.30.) MR. CALDWELL (Glasgow, St. Rollox): I beg to move, Sir, the addition of the following words at the end of the Amendment just made by the Lord Advocate:—

"So much of any public or local Act as requires the occupier or owner of any premises in Scotland to cause the footways and water-courses adjoining the premises to be swept and cleansed is hereby repealed."

This is a very important matter, because as the Bill stands the Sanitary Authorities will have the duty cast upon them of cleaning the pavements as well as the streets at the public expense all over Scotland, with the exception of five cities which have special Acts, and will not come under this Bill. In Glasgow the duty of cleaning the pavement will still fall upon the shopkeepers and occupiers of dwelling-houses. In London the duty of clearing the snow away has by a recent Act been thrown on the Public Authority. In these five cities, of which Glasgow is one, that duty will still devolve upon the shopkeepers and the occupiers of the ground floors of dwelling-houses, and they will have to act as scavengers; but whenever you cross a boundary, say to Govan, you will find that the work is done by the Local Authority. The duty of clearing the pavements used to devolve on the occupiers in both England and Scotland, but in the recent Act the Government altered the law as regards London, and imposed the duty on the Public Authority at the expense of the general rate. The Lord Advocate in this Bill is doing exactly the same for all the burghs of Scotland except the five cities I have referred to. Now, in the case of these cities the shopkeepers and occupiers will still have to perform the duty of scavengers when a snowstorm comes, and the object of my Amendment is to provide that in these cities the duty shall devolve upon the Local Authorities, as in the burghs which come under this Bill. The shopkeepers have to pay heavily to the rates, and I do not see why they should have to clean the streets as well. In a matter of this kind we are not acting on behalf of the Town Councils of Glasgow and the other cities, but are speaking about a clause for the protection of the shopkeepers

and occupiers of dwelling-houses, and we say that they are entitled to have this provision made as a matter of justice. As the Government have adopted the principle for London, they should be willing to extend it to these five cities of Scotland. The Government having decided that in all the burghs in Scotland which come under the Bill the duty of keeping the pavement clean shall devolve on the Sanitary authority, I maintain that there is an injustice in those cities where the duty is still made to devolve on the shopkeepers and occupiers of dwelling-houses. The refuse on the premises is taken away at the public expense, and why should not the snow and refuse outside on the street be taken away at the public expense? I cannot see why the Government should insist in taking a different view in reference to this matter with respect to Glasgow from what they take with respect to the rest of Scotland. I beg to move my Amendment.

Amendment proposed,

As an Amendment to the Lord Advocate's proposed Amendment, page 47, line 8, at end, add, "So much of any public or local Act as requires the occupier or owner of any premises in Scotland to cause the footways and water-courses adjoining the premises to be swept and cleansed is hereby repealed."—(*Mr. Caldwell.*)

Question proposed, "That those words be there added."

(5.36.) THE FIRST LORD OF THE TREASURY (Mr. A. J. BALFOUR, Manchester, E.): I think that the hon. Gentleman will see why the Government cannot accept his Amendment, and why we could not interfere with the distinct understanding which we have arrived at with regard to the five great central towns of Scotland. We should simply destroy the Bill if we were to attempt in this or any other clause to bring any one of these great towns within the meshes of this measure. I hope the hon. Member will not persevere with his Amendment.

(5.37.) MR. ESSLEMONT (Aberdeen, E.): I hope my hon. Friend will not press his Amendment. Glasgow, if it pleases, can adopt this clause the day after this Bill becomes law; and I

*Mr. Caldwell*

think it would be better to leave the matter to the discretion of the Glasgow Corporation.

Question put, and negatived.

Clause, as amended, agreed to.

Clause 116.

MR. CALDWELL: This clause relates to public health and cleansing, and if the Lord Advocate will look at Clause 316, he will find that most ample powers are given by it to the Local Authorities to make bye-laws for doing all the things mentioned in this clause. It empowers them to make bye-laws for removing the contents of ash-pits, dungsteads, drains, and all these other things mentioned in the clause. It seems to me that it would be much better and much more convenient to delete this clause in an Act of Parliament which will stereotype the law on this subject, and leave the matter to be determined by each Local Authority upon bye-laws; because you have another clause in the Bill which gives them the most ample powers to deal with these and other matters. By this Clause 116 you say that the Sanitary Authority may require the owner of a house in Scotland which shall be occupied for less than six months to white-wash "every part and pertinent" of it once a year; whereas by Clause 118 you make the most ample provision for dealing with the occupier of any dwelling-house which is in a filthy state. I venture to say that all you can ask is that it should be kept clean. I think that all these Clauses, 116, 117, 118, 119, 120, 121, and 122 might be omitted and that the matters to which they relate might much more reasonably be left to the operation of bye-laws.

\*THE LORD ADVOCATE (Sir C. J. PEARSON, Edinburgh and St. Andrew's Universities): I hope the hon. Member will not persevere in his line of criticism on this Bill. I have gone over the Bill very carefully since the last discussion in Committee, with the view of seeing whether I could not eliminate some of the clauses and leave the matters to which they relate to be dealt with by bye-laws, and these are not amongst the clauses which I thought it expedient so to treat. I hope,



therefore, the hon. Member and other hon. Members will not follow this line of criticism.

Clause agreed to.

Clauses 117 and 118 agreed to.

Clause 119.

MR. BARCLAY: I beg to move that the clause be omitted. By this clause the owners of "all private courts, yards, areas," and so forth, are obliged to keep them clean. In the first place, I think that it should be the duty of the Sanitary Authorities, and not of the owner, to see that this is done. In the second place, I do not see how the Burgh Authorities can enforce these regulations where there are a number of separate occupiers. I do not think there is any use in this clause at all, because what it aims at is already provided for under the Sanitary Laws. I hope the Lord Advocate will not consider it necessary to insert this clause, because I think it will be found to be unworkable.

Motion made, and Question proposed, "To leave out the Clause."—(Mr. Barclay.)

\*SIR C. J. PEARSON: In the first place, this clause is practically a reproduction of a previous clause. In the second place, the Sanitary Authorities have not, in my opinion, the power to deal with what is contemplated by the clause, because the Sanitary Authorities rather deal with a thing after it has become a nuisance. I hope the hon. Member will not press his objection to this clause.

Motion, by leave, withdrawn.

Clause agreed to.

Clauses 119 to 126, inclusive, agreed to.

Clause 130.

On Motion of Sir C. J. PEARSON the following Amendment was agreed to:—In page 51, line 1, leave out "takes up."

\*SIR C. J. PEARSON: I beg to move, in page 51, line 5, to leave out all after "pounds," to end of Clause.

Question proposed, "That the words proposed to be left out stand part of the Clause."

DR. CAMERON (Glasgow, College): May I ask whether this clause is in the Police Act?

\*SIR C. J. PEARSON: The words were objected to at the previous stage of the Bill. That is the reason why the clause was postponed. It seems to me that this matter may safely be left either to the Common Law or to arrangement between the magistrate and the person who takes up or removes "the pavements, flags, or other materials." I think the words are unnecessary.

Question put, and negatived.

Clause, as amended, agreed to.

Clauses 133 and 136 to 139, inclusive, agreed to.

Clause 140.

(5.45.) MR. CALDWELL: I beg to move on behalf of my hon. Friend and insert "owners." This clause as it stands would make it obligatory on the Burgh Commissioners to maintain for the future pavements or footways after they were once put in order to their satisfaction by the owners of lands or premises fronting or abutting on any street. The effect of this provision would be, in towns like Glasgow, to involve the Commissioners in considerable expense. The way that the Lord Advocate has put it is open to objection, for this clause as it stands takes the responsibility for the pavement, of whatever kind, off the owner, and he is thereafter relieved of all expense in connection with it. I think the Lord Advocate will see that that is a very important matter. The Commissioners should not be bound to take up the burden of keeping the pavement in repair unless they also have the power of insisting that a pavement of a permanent character should be put down. This is how they have it in Glasgow. I move the Amendment.

Amendment proposed, in page 54, line 14, to leave out the word "Commissioners," and insert the word "owners."—(Mr. Caldwell.)

Question proposed, "That the word 'Commissioners' stand part of the Clause."

\*(5.53.) SIR C. J. PEARSON: If this clause raised the question spoken to by the hon. Member it would indeed be important, but the hon. Member's remarks are utterly wide of the object of the clause. It is not the case that the clause provides that the Commissioners are to take over the pavement, and to thereafter relieve the owner of all expense. It puts it in the discretion of the Commissioners to do so in the first instance; and, in the second place, that discretion is to be exercised in a way and manner which shall be determined. Those two restrictions make the hon. Member's remarks utterly inapplicable. This is a matter which was discussed in Committee at an earlier stage of the Bill, and various hon. Gentlemen on the other side of the House voted for it. Under the law as it now stands the Commissioners cannot take over the footways of a town unless they take over the footways of the whole town. This virtually enables them to do that piecemeal, and street by street. I hope the hon. Member will not divide the Committee on this point.

MR. ESSLEMONT: This clause works very well in practice, and I think the difficulties which my hon. Friend has alluded to only exist in his imagination.

MR. CALDWELL: There is no question of the meaning of the clause. The pavement required might be mere causeway foot-paving, and the owner having provided that in terms of the requisition of the Local Authority, then, in the words of the clause, "The Commissioners shall thereafter, from time to time, repair and uphold such footways." That is to say, if an Order is passed on the part of the Commissioners that such pavement is to be made, thereafter the Commissioners are precluded from making any further Order, and in all future time the pavement is to be upheld by the Commissioners.

Question put, and agreed to.

Clauses 140, 141, 143, 149, 150, 180, 182, 183, 192, 200 to 208 inclusive, 215, 216, 218, 222, 235, 238, 240, 242, agreed to.

Clause 245.

Amendment proposed.

Page 87, line 39, leave out all after "shall," to "Commissioners," in line 17, page 88, and insert "subject to the provisions of any bye-laws made by the Commissioners, introduce water thereto, and shall fit up in some window, recess, or other well-lighted and ventilated place a sink sufficient to carry off the whole foul water; and after a like notice every such owner shall also, subject as aforesaid, provide for such house or part of a house occupied by a separate family, wherever practicable, a sufficient water-closet."—(Sir C. J. Pearson.)

Amendment agreed to.

On motion of Sir C. J. PEARSON, the following Amendments were agreed to:—Page 88, line 20, after "may," insert "subject as aforesaid"; line 24, leave out "always," and insert "further."

Clause, as amended, agreed to.

Clauses 247 and 248 agreed to.

Clause 249.

On Motion of Sir C. J. PEARSON, the following Amendment was agreed to:—Page 89, lines 27 and 28, leave out "after visiting the premises or."

Clause, as amended, agreed to.

Clause 250.

On Motion of Sir C. J. PEARSON, the following Amendment was agreed to:—Page 90, line 24, leave out "Board of Supervision," and insert "Sheriff, whose judgment shall be final."

Clause, as amended, agreed to.

Clauses 251 to 256 inclusive, 259, 270 to 276 inclusive, agreed to.

Clause 284.

MR. R. T. REID (Dumfries, &c.): I have put down two Amendments, at the request of the Town Council of Dumfries, with this object. A considerable sum—I believe £2,000—has been spent on slaughter houses in Dumfries under the two miles' protection of the present law, but the effect of this Bill will be to take away that protection after the money has been spent. I believe the Lord Advocate

the Solicitor General for Scotland will propose other words, and I therefore do not wish to insist upon any Amendments. I shall, before Report, have an opportunity of seeing the framework of the amended clause, and of considering whether it meets our case.

**THE LORD ADVOCATE:** It has been agreed to accept the Amendment standing in the name of the hon. Member for the Montrose Burghs (Mr. Shiress Will), slightly modified, so that it may read as follows:—

Page 101, line 28, after "offence," insert—  
"And to prevent evasion of the use of such slaughterhouses, all persons who shall, after such slaughterhouses are provided, bring within the boundaries of the burgh, for sale or consumption therein, the carcass or part of a carcass of any cattle or beast slaughtered within the distance of two miles beyond such boundaries elsewhere than in slaughterhouses provided or duly licensed in pursuance of any Act of Parliament shall, on bringing such carcass or part of a carcass within the said boundaries, be liable in payment to the commissioners of the amount of the rates or sums then being levied for cattle or beasts slaughtered in such slaughterhouses provided by them, provided that where before the passing of this Act any burgh shall have erected slaughterhouses, no other slaughterhouse shall be erected within a distance of two miles from the existing boundaries of such burgh, unless either it is erected with the consent of the commissioners of such burgh, or is situated within the area of another burgh."

Question proposed, "That those words be added to the Clause."

**MR. BARCLAY:** I hope the Committee will consider well before they introduce this clause into the Bill, as it would have the effect of extending the jurisdiction of the burgh. The question has been discussed before, and the proposal has been rejected as placing a tax on an article of food, and as, therefore, being opposed to public policy.

**THE SOLICITOR GENERAL FOR SCOTLAND** (Mr. GRAHAM MURRAY, Bute): The hon. Gentleman who has just sat down has misapprehended the effect of the clause. It will not in any way extend the jurisdiction of the burgh, and it will not have the effect of checking the meat supply.

**MR. CALDWELL:** This is a matter which requires very careful consideration, and the Committee should have further information as to the effect of the clause before deciding the question.

**MR. BSSLEMONT:** I cannot help thinking that this question is occupying a great deal of time unnecessarily. It is necessary, of course, to take every precaution to secure the wholesomeness of meat; but, at the same time, the question of jurisdiction has to be considered.

**MR. BARCLAY:** I certainly object to this protection of the burgh as regards the use of slaughterhouses.

**DR. CAMERON:** I would ask the right hon. Gentleman to re-consider this question, especially as to the sanitary enactments with reference to slaughterhouses.

Question put, and agreed to.

Clause, as amended, agreed to.

Clauses 286 and 290 agreed to.

Clause 300.

**MR. MARK J. STEWART** (Kirkcudbright): I beg to move the Amendment which stands in my name, and my object in doing so is to prevent friction between the Local Authorities.

Amendment proposed, in page 106, line 11, to leave out from the words "and the bye-laws," to the word "boundaries," inclusive.—(Mr. Mark J. Stewart.)

Question proposed, "That the words proposed to be left out stand part of the Clause."

**\*SIR C. J. PEARSON:** It really does not seem to me to be a matter of much importance either one way or the other.

Question put, and negatived.

Clause, as amended, agreed to.

Clauses 301 to 305, inclusive, agreed to.

Clause 316.

On Motion of Sir C. J. PEARSON, the following Amendments were agreed to:—Page 111, line 37, leave out sub-section (4); page 112, line 3, leave out sub-section (5); page 112, line 14, leave out sub-section (7).

Amendment proposed,

Page 113, line 24, leave out sub-section (7), and insert,—"(7.) For providing that cattle, dogs, and poultry shall not be kept in such places or in such manner as to be a nuisance or annoyance to the inhabitants; for prescribing the situa-

tions or places in which swine may be kept, and for prohibiting, on cause shown, the keeping of swine.

(8.) For requiring owners or occupiers of houses and buildings to keep clean closes, areas, courts, passages, stairs, roofs of out-houses, and common water-closets, and thoroughfares owned or occupied by them; and also for paving private courts, common passages, and common areas other than bleaching greens.

(9.) For regulating the sweeping and cleansing of common stairs in accordance with the clauses of this Act relating to cleansing and fencing and keeping the same clear of obstruction.

(10.) For carrying out the provisions of sections two hundred and thirty-seven to two hundred and fifty-six, both inclusive."—(Sir C. J. Pearson.)

Question proposed, "That those words be there inserted."

MR. CALDWELL: I merely wish to point out to the Lord Advocate that he is asking to confer power on the Commissioners to make these bye-laws for all purposes. In Section 117, however, he has laid down how these duties should be performed; but they might make bye-laws which would entirely alter the operation of this section.

MR. BARCLAY: I wish to point out that Clause 119 places upon the occupier the duty of cleaning out the areas. This bye-law seems to give power to the Commissioners to put that duty upon the owners. I do not object to that in the least, but I want to know how these two parts of the Bill are reconciled.

\*SIR C. J. PEARSON: No bye-law will be able to place the duty upon any other shoulders than those on whom it now rests.

Question put, and agreed to.

Clause, as amended, agreed to.

Clauses 326 to 330, inclusive, agreed to.

Clauses 340 to 382, inclusive, omitted.

Clause 383.

MR. BARCLAY: This is a clause which fixes the incidence of taxation of the boroughs entirely upon the occupier—one of the most important questions raised on this Bill. The rates to be paid for are the police, drainage, public health, and the maintenance of

the streets. I am aware that under the existing Act the taxes have been laid upon the occupier; but since that Act was passed in 1862, this House has considered the incidence of such taxation; and if we compare the maintenance of streets in boroughs with those in the counties we find that as far back as 1878 the Government provided for taxation between the owners and the occupiers. The County Government Act goes still further; practically, the whole of the Police Tax is laid upon the owners, and other taxes are divided between the owners and occupiers. I think this is a fitting opportunity to consider the subject, and, therefore, I submit the Amendment standing in my name. This Bill proposes future taxation of the boroughs, and I think the subject ought to be dealt with as in the recent Acts referring to Scotland, and according to the principle adopted by the House—a division between owners and occupiers.

Amendment proposed, in page 134, line 23, after the word "assess," to insert the words "in equal proportions."—(Mr. Barclay.)

Question proposed, "That those words be there inserted."

\*SIR C. J. PEARSON: It would, I think, be very unfortunate in the interests of the progress of this measure if we were to enter into the question of the incidence of taxation in boroughs. That is a question which ought not to be dealt with in a Bill consolidating the police law. This clause simply continues the system which has been in vogue many years in Scotland; and the analogies which the hon. Member drew do not hold, because even if we take the Local Government Act the division of certain rates between the owners and the occupiers was simply for the purpose of bringing in the occupiers in view of the increased representation they were obtaining under that Act. I have never heard the present practice called in question. The clause deals only with the assessment for general purposes, and its justification is that it preserves the *status quo*.

DR. CLARK: The right hon. Gentleman is scarcely accurate. The Bill



does make considerable change, and that in the direction of relieving the owner of his liability. My hon. Friend the Mover of this Amendment (Mr. Barclay), and the hon. Member for Cardiganshire (Mr. Rowlands), when the Bill was before the Committee were in favour of placing on the occupiers this burden of maintaining the pavements, and they did so deeming it better, instead of a twopenny assessment, to place the pavement under the control of the Commissioners, and to compel the owners to pay half of the rate. If the Government are determined that the burden which has been borne by the landlords shall be transferred to the community, then the landlords should bear a portion of it. The Amendment of the hon. Member goes back to the condition of things before 1862. The Act of that year was hurried through the House very much as this is being hurried through; pressure was brought to bear, and the whole question was not fully considered. By that Act the whole burden was transferred from owners to occupiers, and very unfairly, I think, and that is what we are repealing. So far as any change was made by the Local Government Act, it was to transfer burdens to the occupiers. The rate was consolidated and paid a moiety by each owner and occupier, though until then it had been borne entirely by owners. It is only right that owners should bear their fair share, and we shall then have uniformity of rating throughout Scotland. At the present time the owner pays half of the poor rate and half of the education rate, and all we desire is that he should pay half of the police rate, the improvements, the lighting, and the general expenditure, which is defrayed from the assessment. It is only fair, now that you are placing an extra burden upon the occupier until now borne entirely by the owner that the owner should in this case bear a fair share of it. I have much pleasure in supporting my hon. Friend's Amendment. Let us have uniformity of assessment.

(6.43.) MR. HUNTER (Aberdeen, N.): I am not much impressed with the value of the Bill. It is badly drafted, and the substance is not much

better than the form. But now we come to a matter of real and serious practical importance, the division of rates between occupier and owner, and if the result of our discussion were to imperil or defeat the Bill it would be a real benefit to the people of Scotland. It would be disastrous if we in 1892 were to give the slightest sanction to this law passed in 1862. Several things have happened since that date. In 1867 the suffrage was extended to workmen in towns, and in 1885 it was extended to workmen in the counties; and are we to be told in 1892 that those who had no voice in the making of this law of 1862 are to be equally ignored to-day as if they had no more voice now? Does anyone suppose for a moment that if in 1862 workmen had had the franchise they would have submitted to the process which has since gone on, the removal of these ancient burdens from the landlords to the shoulders of the occupiers? What did the Chancellor of the Exchequer tell us last night? I listened to a very interesting discussion between the right hon. Gentleman and the right hon. Member for Wolverhampton (Mr. H. H. Fowler) on political economy, and the right hon. Gentleman on this side professed himself a disciple of the Chancellor of the Exchequer. It was a very edifying talk, and the Chancellor of the Exchequer assured the House that all the rates in towns which were paid by the occupiers came out of the pockets of the occupiers, and were not a burden on owners. Now, I am not going to discuss that question on its merits, or to say whether I agree with the right hon. Gentleman on it or not; but I take the Chancellor of the Exchequer and the Government on their own ground occupied last night, that all these local rates payable by the owners are taken out of the pockets of the occupiers, and I say we live in a time when the working classes are not disposed to agree that the whole burden of these rates should fall on their shoulders. They are disposed to demand that as in the case of the poor rate and education rate, so in this rate, to the extent of half, it should be borne by the proprietors. Can the Govern-

ment show us any reason why occupiers should bear the whole cost in burghs? This is a matter of infinitely greater importance than all the other questions raised by this so-called Consolidation Bill, and I venture to think that unless the Government will meet us on this point it would be wise policy on our part to take care not to give fresh sanction in a new enactment in these days to a principle acknowledged now to be unjust towards a large portion of the community.

(6.50.) MR. BARCLAY: This is a very important question of principle, and we ought not to dispose of it immediately. It is worthy of the consideration we can give to it between now and our next sitting on the Bill. The Lord Advocate says the Bill does not afford the proper opportunity for dealing with the question, but that it should be dealt with as part of the general incidence of taxation; but I say this is precisely the time for dealing with it when we are dealing with the incidence of local taxation for the whole of the burghs of Scotland with five exceptions. I see no prospect of any other opportunity.

It being ten minutes to Seven of the clock, the Chairman left the Chair to make his Report to the House.

Committee report Progress; to sit again upon Thursday.

#### PARLIAMENTARY DEPOSITS AND BONDS.

Considered in Committee.

(In the Committee.)

Resolved, That it is expedient to authorise the release of certain deposits and the cancellation of certain bonds made or given to secure the performance of undertakings authorised by Parliament.—(Sir John Gorst.)

Resolution to be reported To-morrow.

#### WAYS AND MEANS—FINANCIAL STATEMENT, 1892-3.

Resolutions [16th May] reported, and agreed to.

Ordered, That it be an Instruction to the Gentlemen appointed to prepare and bring in  
*Mr. Hunter*

a Bill upon the Resolution reported from the Committee of Ways and Means on the 12th day of April, and then agreed to by the House, that they do make provision therein pursuant to the said Resolutions.

Bill presented, and read first time.  
[Bill 356.]

#### CORONERS IN BOROUGHES BILL.

(No. 245.)

COMMITTEE.

Order for Committee read.

Ordered, That it be an Instruction to the Committee that they have power to extend the provisions of the Bill to the appointment of deputies of Coroners in counties, and as to the time of election.—(Sir A. Rollit.)

Bill considered in Committee, and reported; as amended, to be considered To-morrow.

#### LOCAL GOVERNMENT (IRELAND) PROVISIONAL ORDER (No. 4) BILL.

(No. 300.)

Read a second time, and committed.

#### LOCAL GOVERNMENT (IRELAND) PROVISIONAL ORDERS (No. 6) BILL.

(No. 315.)

Read a second time, and committed.

#### LOCAL GOVERNMENT (IRELAND) PROVISIONAL ORDER (No. 7) BILL.

(No. 319.)

Read a second time, and committed.

#### PIER AND HARBOUR PROVISIONAL ORDERS (No. 3) BILL.—(No. 335.)

Read a second time, and committed.

#### POOR RATE (METROPOLIS) BILL.

(No. 67.)

Order for Second Reading read, and discharged.

Bill withdrawn.

#### SELECTION (STANDING COMMITTEES).

Sir JOHN MOWBRAY reported from the Committee of Selection: That they had discharged the following Member, Mr. Ernest Spencer, from the Standing Committee on Law, and Courts of Justice, and Legal Procedure, and had

appointed in substitution: Mr. Byron Reed.

Ordered, That the Report do lie upon the Table.

### MOTIONS.

#### LOCAL GOVERNMENT (IRELAND) PROVISIONAL ORDER (No. 9) BILL.

On Motion of The Attorney General for Ireland, Bill to confirm a Provisional Order made by the Local Government Board for Ireland, under "The Public Health (Ireland) Act, 1878," relating to the Town of Tralee, ordered to be brought in by the Attorney General for Ireland and Mr. Jackson.

Bill presented, and read first time. [Bill 354.]

### EVENING SITTING.

(9.0.) Notice taken, that forty Members were not present; House counted, and forty Members being found present,

### MOTION.

#### SEA FISHERIES.—RESOLUTION.

(9.3.) MR. OCTAVIUS V. MORGAN (Battersea): In rising to move the Motion on this subject, in which I ask the House to assent to an inquiry, it is hardly necessary for me to insist on the food supply of the country being a matter of supreme importance. Taking the Returns of our fish supply in the years from 1886 to 1891, I find there has been a steady decline in the quantity from 6,412,000 cwts. in 1886 to 5,966,000 cwts. in 1891, a decrease of nearly half a million cwts. in six years—a serious falling off in a source of food supply at a time when the population of the country is increasing, and the purchasing power of the people at a still greater ratio; and surely it is time that such an inquiry as I suggest should be instituted. Probably the greatest falling off in the supply has been on the North-West coast, where formerly the fishermen had a prosperous occupation, finding markets for their fish in Lancashire, Cheshire, and Glamorganshire. The Railway Com-

panies are anxious to increase the traffic, and though there have been complaints of the rates of transit being excessive, the Cambrian and other lines are now doing all in their power to resuscitate this important branch of their business. In the United States, in Canada, and in Continental countries much has been done in consequence of attention being paid to pisciculture, and this may also be said of Scotland and Ireland and some parts of England. Indeed, it would seem that Scotland and Ireland have but to ask for inquiries of this character and the request is granted as a matter of course. Formerly large quantities of oysters were found off the coast near Port Madoc and Pwllheli, and fish of all kinds rewarded the fisherman's industry, but I think that Aberdovey is now the only Welsh port which does not show a considerable falling off in the amount of fish landed. When the tourist season is over the Welsh sea-coast towns offer little occupation to the working population, and any means of reviving the fishing industry would result in the greatest benefit to the inhabitants. Professor Huxley, no mean authority in such matters, has stated that an acre of good fishing ground will produce in a week as much food as an acre of the best land will produce in a year. If that be true, and coming from such an authority I do not know why we should doubt it, the importance of reviving the Welsh industry is apparent. The first requirement is harbour accommodation, with refuge from storms; next some instruction and directions on scientific principles are required, for I fear with the decay of the fisheries our fishermen are somewhat behind the times; and the pollution of rivers needs inquiry, mining operations in Wales, especially lead mining, having done much harm to the fish. On these points, together with the means of cheap and quick transit for the fish from the port of landing, inquiry would I feel sure be followed with useful results, and therefore I make my Motion.

(9.8.) MR. LLOYD-GEORGE (Carnarvon, &c.): In seconding the Motion there is no occasion for me to dwell upon the importance of this industry, whether in regard to the em-

ployment of our sea coast population or as furnishing a food supply to the whole community, an important consideration in these times of hostile foreign tariffs. We are endeavouring to restore agricultural prosperity; and scarcely less in importance is it to restore the fishermen to our fishing grounds than our labourers to the soil. Without doubt, in recent years our fishing industry has grievously declined from causes, some purely local, others general in character. Probably all countries have suffered more or less in this respect from general causes, but this country is alone in not making strenuous efforts to remedy the evils. My hon. Friend has referred especially to Wales, and to Wales my references will chiefly be as being that part of the subject with which I am best acquainted. In Cardigan Bay, for instance, there is a serious falling off in the fish landings. Taking the port of Pwllheli alone, I find from Returns that the amount landed last year was 132 tons as compared with 296 tons six years ago. The proprietors of a very ably conducted paper, the *Cambrian News*, a short time since instituted an inquiry into the state of the fishing industry in Wales, and it was found that while in nearly all the ports there was a very considerable falling off in the amount of the fish landed, in some ports the industry was practically dead. More especially has there been a decline in the oyster fisheries. There is then a condition of things to amply justify an inquiry into the causes and the remedies to be applied. The first point that demands attention is the want of proper harbour accommodation, and this has been so often urged that I am sure the President of the Board of Trade must be fully sensible of its importance. It is obvious that fishing boats cannot lie by their nets for any length of time, unless the fishermen have the security of refuge in stormy weather; and on the other hand, a good catch of fish is valueless unless there is means of landing and quick transit to market. The best port in Cardigan Bay, Pwllheli, has but its natural accommodation, unimproved by any artificial means. We want a port which boats can enter at

*Mr. Lloyd-George*

all states of the tide and in all weathers, so that advantage may be taken of the train service, which is not frequent in a thinly populated country. Bearing on this question of harbour accommodation there was an inquiry held by a Committee of the House of Commons some years ago—in 1883; but unfortunately no evidence was taken in reference to Cardigan Bay and many other localities where the fishing industry is or was carried on. The inquiry appears to have been of a very general character—it was not so thorough as the importance of the subject demanded, due I suppose to the fact that the Committee was appointed very late in the Session. The late Sir John Coode, an acknowledged authority, gave evidence before that Committee on the relations between harbour accommodation and the prosperity of the fishing industry. He advocated the construction of harbours with a depth of twelve to fifteen feet of water at low spring tides for the accommodation of fishing vessels and the class of vessels unable to keep the sea in rough weather, and he showed how often the prospect of good fishing was lost because the men dared not venture out when the appearance of the weather was threatening, knowing they had no port under their lee upon which they could rely as being accessible at any time. The most successful fishing is frequently carried on when the weather is unsettled. The opinion of so high an authority deserves attention, and I find it supported by the evidence of Mr. Young, at that time Inspector of Scotch Fisheries, who pointed out how, after improvements were made in the harbours at Peterhead and Fraserburgh, the fishing industry in the localities immensely increased. There was another witness, Mr. Stevenson, Vice-President of the Royal Society, Edinburgh, who expressed an opinion that with judicious additions to the harbour accommodation on the Scotch coasts the fishing trade might be increased to an illimitable extent. This opinion has been confirmed by other authorities, and there is practical experience that with increase of harbour accommodation there has been development of the fishing industry. Now in Cardigan



Bay there are most valuable fishing grounds, but from end to end of the Bay there is not a port which fulfils any of the conditions laid down by Sir John Goode—secure shelter from storms, good holding ground, and easy access at all states of the tide or the weather. It may be said that the decrease in the trade cannot be due to the want of harbour accommodation altogether, inasmuch as there was no better accommodation years ago when the trade was better. But conditions have changed. The markets cannot be found in the vicinity of the ports, the fish have to be sent to the great inland centres of population; and to whatever cause it may be due, it is a fact that fishing that formerly could be successfully conducted within a few miles of the shore, has now to be carried on farther out at sea. In Scotland, too, they complain that they have not sufficient harbour accommodation; and, in fact, the Fishery Board in their last Report point out that there are many points on the Scotch Coast where harbours are required, and that they have not adequate funds at their disposal. It may be mentioned, however, that in 1889 they were enabled to spend something like £10,000 in subsidising the making of proper harbours, and that during the eighty years the Act has been in force £250,000 of Imperial money has been spent upon harbours in Scotland. During the whole of that period, however, not one penny has been spent on fishing harbours in Wales. The right hon. Gentleman on a previous occasion, in replying to me, alluded to Holyhead and Milford. I do not know whether we can properly call them fishery harbours, because they do not afford easy access to the fishing grounds. That the whole of the local fishing during the year only amount to 87 tons is undoubtedly owing to the circumstance that Holyhead is not located near the fishing ground, and I think the same may be said of Milford. In Ireland, too, grants have been made from time to time. An Act was passed to devote the sum of £250,000 out of the Irish Church Fund for the purpose of making harbours along the Irish Coast. Thus, while in Scotland and Ireland

the provision of proper accommodation as essential to the development of the fishing industry has been recognised, nothing has been done as regards the English and Welsh Coasts for the express purpose of developing the fisheries; and, speaking of Cardigan Bay, I can say with the utmost confidence that nothing has been spent there by the Government. The second point complained of is the want of proper boats and tackle. That something should be done in this respect is more essential than formerly, owing to the distance from the shore at which the fish are taken. I find that in Scotland the biggest hauls are made thirty or forty miles away. The boats in use in Cardigan Bay are not fit to travel such a distance from the shore. In that bay the average tonnage of the boats is from three to seven tons, and in the largest port the average is something like eleven tons, as against the Scotch average for last year of 29½ tons. I think it was Mr. Grady who, in giving evidence before the Irish Fishery Commissioners, valued the boats engaged in the Irish herring fisheries at £1,000 to £1,100—an amount the boats in Cardigan Bay do not approach. It may be asked why the fishermen do not supply themselves with proper boats and appliances. The answer to that query is that they lack capital for the purpose, and during the inquiry instituted by the Commissioners it was discovered that to supply the fishermen with boats and gear had, as an investment, always proved a failure. In Scotland, under the Crofters Act, the Treasury was empowered to grant loans for this purpose, and the same thing has been done in Ireland. I do not, however, believe in these loans, for two reasons. One is that they are demoralising, and the other is that there is no guarantee that the proper boats will be purchased. Then, again, in the North of Scotland the instalments have not been regularly paid. One-half of the instalments are in arrears, and the Fishery Board report that there is no chance of recovery. I suggest, however, that an inquiry should be instituted as to the means of supplying fishermen with proper appliances, and, as a mere hint, that the Fishery Boards might be

empowered to buy boats and let them out on hire by the year. I simply submit the matter as a proper subject for inquiry. Another matter which I think might be very properly investigated is the subject of fish culture. I find that almost every other country has done something in this direction. In Scotland there has been experimenting. The United States has taken the question into consideration; hatcheries have been placed at various parts of the coast, and in Massachusetts it is stated that the fishermen ascribe the phenomenal quantity of fish to the efforts of the Fishery Commission in relation to artificial production. Last year five hundred millions of eggs were distributed. Germany, too, has done something, with very beneficial results, and in Newfoundland the Commissioners report that the highest authorities are becoming more and more unanimous as to the desirability of the artificial production of cod. Norway has not been neglectful, and in South Holland as many as three millions of French oysters have been laid down on the banks. Formerly Cardigan Bay afforded very prolific oyster fishing. Now the beds have been destroyed, and no amount of protection will restore this branch to its old prosperity. All that can be done is to follow the example of Holland, Newfoundland, the United States, and France, by laying down oysters at such parts of the coast as are adapted for the cultivation of oysters. That, too, is a fitting subject for inquiry. I come now to the last part of the Resolution—that it is necessary to confer further powers on the Fisheries Board. At the present moment they have simply powers of restriction as to fishing in certain waters and as to modes of fishing; but they can do nothing in the way of developing the culture. In the interest of the restoration of the prosperity of our fisheries, I consider it essential that their powers should be enlarged. Scientific investigation, for instance, and other elements all tending to the development of our fisheries, might be adopted. These are points I merely suggest; but there can be no question as to the enormous importance of re-establishing and developing the fisheries

*Mr. Lloyd-George*

of this country, and as to the necessity of England not being behind in the attention paid to this subject. I have great pleasure in seconding the Motion.

Motion made, and Question proposed,

“That this House is of opinion that an inquiry should be instituted into the question of the desirability of making further provision for the protection and development of Sea Fisheries on the coast of England and Wales, with special reference to the following points: (a) improved harbour accommodation; (b) the securing of expert and scientific guidance for Sea Fisheries District Boards, and the conferring thereon of larger powers; and (c) the amendment of the Sea Fisheries Regulation Act of 1888.”—(*Mr. Octavius V. Morgan.*)

\*MR. W. BOWEN ROWLANDS (Cardiganshire): In rising to support the Motion, my only difficulty is as to what the Government can possibly say against it. I represent a county which is especially interested. It is a long, narrow county, with a great extent of sea-board, and its fishing industry has been in a very much more flourishing condition than at present. It is said that the inhabitants themselves ought to be more alive to the well-being of this industry, but that alone, even assuming it to be true, does not seem to me to be an answer to our demand that the Government should grant this inquiry—that they should furnish us with means of knowing how far any neglect to avail themselves of natural resources or to acquire proper appliances is to blame, or how far the industry is dependent on the results of scientific research and upon the bestowal of Governmental aid. It is undisputed that the industry has been in a much more flourishing condition than it is now, and that alone is a fit subject for inquiry. It is also undisputed that there is no harbour accommodation, properly so called, from one end of Cardigan Bay to the other, and therefore the best method of remedying this defect is a legitimate subject for inquiry. I do not suppose that anyone will contend that these harbours are not capable of being rendered valuable adjuncts if they are only made to insure easiness of access, and shelter, and are given the other requirements

necessary to the efficiency of the fishing industry. Moreover, the important question of fish culture is one that demands and ought to receive the attention of the Government. The same state of things exists pretty much in Pembrokeshire, where there is now comparatively little fishing. It might be within the province of those who conduct the inquiry to see how far that traffic has been retarded and kept back by the railway arrangements in the county. And in dealing with the county of Pembroke I should mention the oyster industry, to which allusion has been made. In the River Cleddau there was formerly a very important bed and an abundant supply of oysters, which were quite as good as the celebrated native or Whitstable oyster. These beds have been very unproductive of late; it may be from causes which the Government are powerless to rectify; but that is no reason why the Government should decline to grant an inquiry. One very extraordinary fact, which I do not know how the President of the Board of Trade will explain, is that whereas grants, in the shape of loans, have been made to other parts of the United Kingdom, at all events to Scotland and Ireland, no grant has been made to Wales. Wales is a very poor country, and, with the exception of certain districts, has no industry except that of agriculture; and this is, to my mind, an additional reason why the Government should look into this fishing industry, which has been more flourishing, and which, properly looked after, is capable of finding employment for people who have never received any encouragement from the powers that be. The demand we make is, I contend, a reasonable one, and I am anxious to hear what the President of the Board of Trade can urge against it. The Government have considered the principle that the question of harbour accommodation and the fishing industry are matters to be looked into and assisted in other parts of the United Kingdom, and Wales is as poor as any other part of the Kingdom, and might as properly receive attention and assistance. I maintain that in the present state of the food supply, and in the face of a

rapidly-increasing population, and the danger of the lack of an ordinary supply in certain contingencies in a country like ours, it becomes more imperative and desirable that this matter should be looked into, and I urge upon the Government to accede to this very reasonable request. It is not as if we brought up a proposal crowded with detail to which the Government might object, or which they would be justified in criticising. We only ask that a matter which they have confessed is of the greatest importance should be made the subject of inquiry, and that a stimulus may be applied to an industry which was once flourishing, but is now, more or less, in a state of decay.

(9.45.) MR. ROWNTREE (Scarborough): Hon. Members who have taken part in this Debate are more or less connected with the West Coast of England, and the House would get a manifestly incomplete view of the situation if the East Coast were not represented. It is a striking circumstance that the returns of the amount of fish brought into the ports of the three Kingdoms during the past three years show a decrease to the enormous extent of something like 800,000 cwts.; but there is also this striking fact—that in spite of that enormous decrease in quantity the value of the diminished supply was something like one million higher than the value of the larger supply we had three years ago. This, to my mind, shows conclusively that the supply has by no means kept pace with the demand, and when we reflect that this decreased supply is in spite of the extension of steam power, improved appliances, and larger vessels, it is clear that the subject is a most serious one. Of this decrease of 800,000 cwts. for the three Kingdoms, 600,000 cwts. represents the decrease on the East Coast alone, and that opens a very serious consideration. The President of the Board of Trade must be aware of the diminished quantity of fish from the North Sea, not only by complaints from the East Coast ports, but from

the countries on the other side. One thing seems to me to be very clear—that all round the three Kingdoms there is a diminished supply of fish in the inshore waters. This has brought about a very serious condition of things on many parts of our coast, because sea-fishing is the only industry that is possible to many men living in the villages and some of the smaller towns, and the decay of the industry has brought privation and distress upon those engaged in it. It is very difficult for these men who have been trained to a seafaring life to take to other occupations in middle age, and this fact adds to the distress and privation. We were very largely indebted to the President of the Board of Trade for the Act which established Sea Fisheries Committees, and perhaps he may say that it is rather soon to have an inquiry which will touch those Committees. But the Act has been in existence four years, and some of the Committees have been at work two years, and in that time some things must have been cleared up and others brought forward supplying reasons for further powers being given to these Committees. On the North East Coast there is a strong feeling that the beneficial effects of the Act of 1888 will be very largely lost unless some means are found for enabling the practical fishermen appointed by the Board of Trade to attend the Committees. Whilst the important question of trawling was under discussion they did attend, but since then they have not felt justified in making the sacrifices which attending the meetings involved, for not only did their absence from work make a considerable difference in their income, but the travelling and other necessary expenses materially increased their expenditure. Unless we can secure this, the hopes of the fishermen of the utility of these Committees will be disappointed, and I hope the President of the Board of Trade will be able to give us some assurances on that

*Mr. Rowntree*

matter. Further, I may point out that the duties of those Committees are largely restricted to the regulation of the fisheries. They have no power to take in hand a decaying industry and put it on a better and firmer foundation. The question of bait has also been mentioned, and the right hon. Gentleman must be aware of the increasing difficulty which the fishermen experience in getting mussels. They have to get them from a distance, and sometimes have to pay as much as £2 or £3 for a week's bait, and then suppose, in consequence of the weather or any other cause, they are prevented from going out the whole of that expenditure is lost. This subject has already received attention, and I put it to the President of the Board of Trade that our fishermen should not be placed at a disadvantage as compared with their Scotch brethren in the facilities which are given to them in this direction. We are not likely to see any considerable revival of the mussel beds nor of the oyster beds until the Fishing Committees can do something more than merely regulate the fisheries. They ought surely to be able raise money to take up matters of this kind and so develop the fisheries. In France the experiment with the mussel beds has been remarkably successful, and it seems to me that there is nothing to hinder the same thing being done along our coasts. Another point to which I should like to call the attention of the right hon. Gentleman is that the Fisheries Commission recommended the appointment of a Fisheries Board in England to make scientific experiments in the same way as is done by the Scotch Fishery Board.

Notice taken, that forty Members were not present; House counted, and forty Members not being present,—

House adjourned at Ten o'clock  
till To-morrow.



## HOUSE OF COMMONS.

*Wednesday, 13th May, 1892.*

Mr. SPEAKER was in his place shortly after Twelve o'clock. At half-past Twelve, attention being called to the number of Members present, Mr. Speaker counted and a quorum was not found.

## BUSINESS OF THE HOUSE. FORMATION OF A QUORUM.

(12.40.) MR. SEXTON (Belfast, W.): May I ask you, Sir, looking at the delay in forming a quorum, is it not within your competence to direct the Serjeant-at-Arms to require the attendance of Members who may be sitting on Committees, or others who may be wasting time in other parts of this building?

\*MR. SPEAKER: Members sitting on Committees have had their attention drawn in the usual way, by the ringing of the bell, to the fact that the House was being counted with a view to form a quorum. If those Members please to come down from the Committee Rooms they may do so, but it would be a strong step on my part to interrupt in the way suggested what may be very important proceedings in Committee. I will, however, let those Members know that the House is waiting for a quorum. The Serjeant-at-Arms will inform Members of Committees that the House has been long waiting for a quorum.

(12.45.) Attention again called to the number of Members present, and a quorum found in their places.

## ORDERS OF THE DAY.

PLURAL VOTING (ABOLITION) BILL.  
(No. 42.)

## SECOND READING.

Order for Second Reading read.

\*MR. SHAW LEFEVRE (Bradford, Central): The Bill which I have the honour to ask the House to read a second time contains one very short and simple clause for the purpose of

applying a remedy to what many of us believe to be a gross anomaly, inequality, and injustice, which has survived the Reform Acts of 1867 and 1884, which was not fully appreciated when those measures were passed, and which has been considerably and inadvertently increased by the later of those Acts. It is a matter which offends against the great principle of equality of political rights under the Constitution, and which lends itself to operations for creating votes for the express purpose of overruling the votes and opinions of the resident electors in many constituencies. I do not think it can be contended that we are precluded by precedents from dealing with such a question without re-opening all the other debateable points in the franchise and distribution of seats. The House will recollect that in 1868 it remedied a grave defect in the Reform Act of the previous year by virtually getting rid of the spurious principle of the personal payment of rates as a condition of the franchise. In the same manner, I propose to ask the House to deal with the special grievance of the plural vote. I believe I am justified in saying that the Constitution has from the earliest times recognised the principle of the absolute equality of electors, in the case, at all events, of individual constituencies. But it has never conceded to electors of wealth or status a superiority of voting power over their fellow-electors. A proposal was made to give a dual vote to certain classes in 1859, but it was scouted by the Liberal Party of that day, and has never again appeared in any Liberal Reform Bill. The same principle was again proposed in Lord Derby's Reform Bill of 1867. It did not, however, meet with approval in any quarter of the House. It was condemned by the best authorities of all Parties—by my right hon. Friend the Member for Midlothian (Mr. W. E. Gladstone) in the strongest terms; by Mr. Lowe, the then leader of a section of Liberals who had defeated the Reform Bill of the previous year; by Mr. Henley, and by the present Prime Minister, then Lord Cranborne, who described it as unpalatable and impossible. It may be worth while to quote the words of the right hon. Gentleman

the Member for Midlothian, as they seem to be almost equally applicable to the plural vote. He said,

"To the dual vote I record an implacable hostility. This dual vote is, in the first place, a gigantic engine of fraud. It is a proclamation of a war of classes. The British Constitution rests, and has rested from time immemorial, on the mutual goodwill, respect, and good feeling of the people—upon the equality which they enjoy before the eye of the law. But when you place in the hands of the rich man, under the notion of fortifying his position, this weapon to use against his poorer countrymen, on that day you sow oppression."

Mr. Lowe followed with these words—

"I cannot express the repugnance with which I view the dual vote. It seems to me to be more invidious than anything which can be devised. You are raising up a sham sort of oligarchy to control and overbalance the will of the people. I will not associate the giving of power with any shabby expedient to counteract it."

Now, it appears to me that these arguments apply—possibly not to the full extent, but to a very large extent—to the system of plural voting. It was expected that the proposal would apply to about 200,000 persons, but it was withdrawn by Mr. Disraeli, and not a tear seemed to have been shed over it. In County Council elections and elections for Municipal Corporations not only is the dual vote unknown, but if an elector has two or more qualifications in separate wards or districts he may vote only once, and, having given a vote in one ward or district, he would subject himself to a very severe penalty should he vote again in another ward. A different rule prevails in Parliamentary Elections, and although an elector is prohibited from voting in respect of more than one qualification within a borough—even where that borough is divided into several electoral districts—yet if he has separate qualifications for other boroughs or other county districts he may vote at a General Election as many times as he has separate qualifications. Before the counties were divided, in olden times, when travelling was expensive, and when tradesmen and shopkeepers in boroughs resided in their places of business, the possibility of giving plural votes in respect of different constituencies produced very little effect. But as it became easy and cheap to travel

the non-resident freehold voters assumed a much greater importance, and it became worth while to acquire freehold qualifications in counties for the express purpose of giving votes. In London also, and in most towns in the country, it became the fashion for men of business and tradespeople to reside in villas and houses other than their places of business, and where there happened to be in a different constituency such persons were able to vote in respect of both qualifications. Lastly, the system under which counties have been divided into one-membered districts, and London has been divided into twenty-seven different boroughs, has greatly increased the number of plural votes. In the first place, a man may have as many votes for different county districts as he has freehold qualifications in them. Secondly, he may have as many occupation votes as he has *boni fide* residences in different constituencies. I know many men among my own friends who have four or five votes for different constituencies. I know men of wealth—men with very large means—who have only one vote, and I know others of smaller means who have two, three, and four and five votes. I have myself five votes for five different constituencies—not that I have sought the votes by purchasing property for that purpose; but they have come to me accidentally on account of holding property in different places. Two are occupation votes, two freehold votes, and one is for a University. But I know many who have a great many more votes than five. I think it was Sir Robert Fowler, a late Member of this House, who used to boast that he had no fewer than thirteen votes in different constituencies, and that he was able at one General Election to record them all. Then there is the well-known case of the Oxford tutor—a man who had eighteen different qualifications, and, at the Election of 1874, voted in respect of these different qualifications eighteen times. But this case pales before one I heard of recently. A clergyman of the Church of England, who has a hobby for acquiring qualifications in different constituencies, has been able to obtain fifty votes in different places, and I was informed that at a certain General

*Mr. Shaw Lefevre*

Election he contrived to vote in no fewer than forty different places. I could multiply cases—perhaps not so extreme as that—in which persons possess and record a number of votes, and I shall be able to show presently that there are in London special facilities for persons obtaining many votes in different boroughs. In the meantime, I will venture to point out another anomaly which arises out of this system of plural voting. It is one of the peculiar features of the great towns of the North, such as Liverpool, Manchester, and Glasgow, that they have been cut up under the Redistribution Act of 1875 into several electoral districts, but they still remain part of the same boroughs, and any voter having different qualifications can only, by law, vote in respect of one. On the other hand, where counties are cut up into several Divisions, persons having different votes may vote in the different Divisions. The county of Lancaster, for instance, is divided into twenty-three electoral districts, and I am told that there is more than one case of a firm of brewers who, by virtue of their public-houses scattered all over the county, have a large number of qualifications in a large number of different constituencies. Another anomaly arising from this system is very well illustrated by the town of Bradford—a Division of which I have the honour to represent in this House. Under the Redistribution Act of 1885 Bradford is divided into three Divisions, and there are 1,200 persons there who have qualifications in respect of two of these Divisions—that is, they reside in one, and have their places of business in another; but in a General Election they can only vote in one of the three Divisions. If they had their residences just outside the borough, as well as a place of business in the borough, they would get two votes—one for Bradford, and one for the county. It is, however, in London and in the adjoining county districts that the greatest anomalies occur, and that the system of plural voting is exhibited in its worst form. I have already pointed out that plural voting is not permitted in the London County Council elections, but it is otherwise in the case of Parliamentary Elections. It did not appear

to have been considered in 1885 that London was a single community. It was treated as a congeries of distinct boroughs, and not as a single borough, like Liverpool. Before 1885 there were eleven distinct London boroughs, and a person having qualifications in two or more of them could vote in each borough at a General Election. The Act of 1885 increased the number of London boroughs to twenty-seven, and therefore the possibility of plural voting was very much increased at the same time. Some of these London boroughs are sub-divided into two or more electoral divisions. For instance, the Tower Hamlets is divided into seven divisions, Hackney into three, and St. Pancras into four; but if an elector has a voting qualification in each of these separate electoral divisions he can only vote once in any one of the boroughs, though, as I have already pointed out, if he has a qualification in another borough, he may vote also in respect of that. If his qualification arises in connection with any of the twenty-seven boroughs into which London is divided, he can vote in as many of them as he has qualifications. The effect of this sub-division has been very much to increase the possibilities of plural voting, and has very largely increased the number of votes which can be given at a General Election in the different boroughs of London. I might illustrate that by the case of a lawyer who has an office in Gray's Inn, and has a residence in Barnsbury. Before 1885, as both places were within the same borough, he could vote only once—for Finsbury. But under the Redistribution Act, one is in Holborn and the other in Islington, and such a person can vote twice. The same thing occurs in many parts of London. Nearly all professional men, most tradesmen, and a great many shopkeepers have residences in London, or in the neighbourhood of London, where they live apart from their places of business, and the number of double qualifications arising from this cause is extremely great. The fashion also has grown up for people in business to have places of business in different parts of the Metropolis, and there are many firms who have places of business in four,

five, six, and even fifteen and twenty different parts of London; and I have actually ascertained that there are four or five firms in London who have places of business spread about in the different boroughs in London in greater numbers than there are boroughs, and it may be presumed, from the way in which these are scattered about, that they have qualifications in each one of the twenty-seven boroughs into which London is divided. These persons are not only on one side of politics, for a Liberal agent told me the other day that he had been successful in putting four brothers, who were members of a firm engaged in the coal trade, on the register in twenty different constituencies. Those four brothers will, therefore, have eighty votes amongst them in London at the General Election which is about to take place. I have no doubt these are representative cases, and that there are many double qualifications, and qualifications giving four, five, and even eight and ten votes to one person. The case of London is aggravated by the votes of the members of the Livery Companies in the City. There are about seven thousand liverymen who have votes for the City of London by ancient custom. Of these, five thousand have no qualification in the City of London other than that which they derive from the companies, and they are nearly all of them persons who have qualifications in other parts of London, and therefore exercise a plural vote. Then, again, the case of the counties round London is of an exceptional character. Before 1885 Middlesex was one county, and all the freeholders of London voted in the County of Middlesex. By the Act of 1885 the county was split up into seven different divisions, and the freeholders were attached to four—namely, Tottenham, Hornsey, Ealing, and Harrow, and in these divisions the freeholders of London vote not because they have any property in those divisions, but by virtue of the freehold qualifications they have in other parts of London. Take the case of Tottenham as an illustration. There are 2,800 non-resident voters, and of these 500 only obtain their qualification within the division; the other 2,300 derive their qualification from freeholds in Hackney, Tower Hamlets,

and other parts of East London. They are separated from the division of Tottenham by many miles. They do not even go to Tottenham for the purpose of recording their votes; they have voting places erected specially for them in the East of London, and they vote for Tottenham, though they have no real connection of any kind with the people of Tottenham. The consequence is that they exercise a great, and indeed overwhelming, influence in the elections which take place; and Tottenham, which is really a typical working man's constituency, is converted into a preserve of another kind by the 2,300 freehold voters in the East of London. These people are entirely separated from Tottenham; and the result is, that the whole thing falls into the hands of the election agents, whose policy and duty it is to look about in the East of London for Parliamentary voters whom they can put on the register for Tottenham. The opinions of the people of Tottenham are overruled by these freeholders, who are put on the register by the election agents to achieve that purpose. The same thing takes place in the other divisions of Middlesex—Harrow, Ealing, and Hornsey; and I have great complaints from all these three places as to the effect of the present system of plural voting arising from these non-resident freeholders in other parts of London, who have no connection with the divisions, and do not even go there for the purpose of voting. The freeholders of the City of London vote for the division of Hornsey, with which division they have no connection, either by property or residence, and on the election day polling places are erected for them in the City. I have also had very great complaints from the Harrow Division as to the multiplication of freehold votes by rent-charges on freehold property in London. In one single property in a part of London, which for this purpose is attached to the division of Harrow, there are no fewer than twenty rent-charges imposed for the purpose of creating twenty different qualifications for electors in the Harrow Division, and all these twenty persons have other qualifications for other constituencies. On another



property, also within the part of London in which the freeholders vote for Harrow, there are no fewer than fourteen rent-charges, by which fourteen persons are entitled to vote for a division. The same thing takes place in Wimbledon, that portion of the County of Surrey which is nearest to London. The freeholders of London, south of the Thames, about three thousand in number, are attached to that division, and they exercise an overwhelming influence on the elections for Wimbledon, though they have no more connection with the division than the freeholders of East London have with Tottenham, and do not even go to the division for the purpose of recording their votes. They have polling places specially erected for them, and are merely gathered together by the election agents for the purpose of overruling and overriding the popular feeling. I venture to say that these anomalies are of a very extraordinary character, and ought to be removed. I could give illustrations of the same kind of thing in the North of England, and it may be laid down that all the great towns in the North of England are surrounded by county divisions in which the free holders of the towns, besides having votes for the towns in respect of residential qualifications, have votes because of the freeholds in the towns, and are thus able to swamp and overrule the opinions of the actual resident voters. Then there is another class of plural voter—the purely residential occupation voter—to whose case I have already slightly alluded. There are numbers of people who have residences in London and in the country—sometimes more than one residence in the country; and in such cases the plural vote extends not only to them, but also to their servants. I have been told of the case of a gentleman who has three occupation qualifications—one in London, one in the country, and one up in the moorlands of Lancashire—and his coachman, by virtue of the service franchise, has three votes also. How many of these plural voters exist throughout the country it is impossible to ascertain with any accuracy. A Return before the House shows that there are 180,000 non-resident freeholders; but I believe it is admitted that the Return is very de-

fective, and I do not think it can be relied upon. Probably four-fifths of these non-resident voters have other qualifications in respect of which they vote elsewhere, and therefore they are probably all of them plural voters. There are no means either of ascertaining the number of double qualifications arising from the residential and service franchises, but the number of double qualifications and plural votes of all kinds must be very great. It seems to me that the system which I have described is open to all the objections which were urged in 1867 by the right hon. Gentleman the Member for Midlothian (Mr. W. E. Gladstone), Mr. Lowe, and others, against the system of dual votes. It may be described, in their words, as a system of fraud on the constituencies, which strikes at the very root of the principle of equality and of the Constitution. I have shown how full of anomalies it is, how uncertain it is in its operation, and how unequal it is in different parts of the country, and I have also shown how it lends itself to the machinations of the election agent, with a view to the accumulation of votes in a particular district, to overrule the will and opinion of the resident voters. The system I have described is a symbol of class privilege. It is one for which a remedy ought to be applied. The Bill which I ask the House to read a second time to-day proposes to apply a remedy, and it proposes to apply to this system of plural voting exactly the same rule which now applies in the case of the seven divisions of Liverpool and the seven divisions of Glasgow, or in the case of the various divisions into which London is split up for the purpose of the County Council elections. It proposes to enact that a single person having one or more qualifications shall only vote in an election for one place; and that when he exercises his vote for one place, he will exhaust his qualification for every place, and that if, after having voted once, he gives a vote for any other place, he will be subject to penalties under the Corrupt Practices Act. This will not be so severe a penalty as exists in the cases of Borough Council elections, or County Council elections in London.

I thought those penalties were rather high, so I have taken the penalty as provided in the Corrupt Practices Act. It seems to me that there will be no difficulty in maintaining these prohibitions. The prohibition already applies in the case of great towns like Liverpool, Manchester, and Glasgow, and there is no difficulty in enforcing it; and as plural votes are for the most part in the hands of persons of the wealthy classes, it is not to be expected that they would exercise their votes more than once lest they should incur the penalties of the Bill. The Member for South Tyrone (Mr. T. W. Russell) proposes to meet my Bill by an Amendment, which, so far as I understand it, does not traverse the principle of the Bill itself. I understand that the hon. Member by his Amendment practically admits the anomaly and injustice of the present state of the law. He does not deny that the system is unjust in its working; what he practically says by his Amendment is that he and the House are not prepared to make a change in the direction indicated by the Bill, unless it is at the same time proposed to correct other anomalies which exist in the redistribution of seats. It appears to me that the issue which he raises is irrelevant to that which I have submitted to the House, and I gather that his principal motive is to raise the question of the representation of Ireland and Wales. May I point out to hon. Members opposite that this question was raised and discussed at some length on the Redistribution Bill of 1885, and a Motion was moved on the Second Reading by Sir John Hay to the effect that no redistribution would be satisfactory which did not reduce the representation of Ireland in accordance with its population? That Motion was supported by only twenty-five Members, and was rejected by a large majority. It is quite true that then, as now, Ireland was over-represented in proportion to its actual population as compared with the United Kingdom, and that Wales was and is now in the same position: But there were three main arguments which induced the House not to enter upon this thorny and difficult question. The first was, that Ireland was no more

over-represented in this House than the purely agricultural counties of England, including the boroughs within this area, and that it would be unjust to take Members from Ireland and give them to the populous parts of England until the same measure had been applied to the English rural districts. It was felt by many that in so far as the existing system somewhat favoured thinly-populated rural districts where the population is spread over a large area, involving great labour in canvassing, there was something to be said for it. Secondly, it was urged that it would be somewhat shabby treatment to Ireland to take Members from her at a time when from causes of a perhaps temporary character her representation had become above what she was strictly entitled to on the basis of population, when for seventy years at least since the Act of Union she was greatly under-represented during the greater part of the time, by of at least half the number her population entitled her to. Thirdly, it was urged that if the Catholics in Ireland are somewhat over-represented there is a very large population of Irish Catholics in English and Scotch constituencies—I should say about one million and a half—who are completely lost in the surrounding constituencies, and who have no direct representation in this House, in the exception, perhaps, of one hon. Member who may fairly be said to represent a portion of them. The arguments had weight with the House on the occasion I refer to, and I believe that in the main these arguments would still prevail if the subject were discussed at any length—at least, in the present relation of Ireland to the Imperial Parliament. I may mention that if we take the eighteen most purely agricultural counties of England, including Lincolnshire, Norfolk, Cambridgeshire, Northamptonshire, Oxford, Huntingdon, Rutland, Berkshire, Somerset, Wilts, Devon, and others, you will find that they have a population of four millions six hundred thousand, exactly the population of Ireland; and these eighteen counties are represented by one hundred and one Members, which is exactly the number of Irish Members. To complete the analogy, I find that the minority in these coun-

ties is represented in this House in about the same proportion as the minority in Ireland. That shows, I think, that until the whole question of redistribution of seats is entertained, it would not be fair to entertain the question of the reduction of the representation of Ireland. I do not believe there is any general concurrence in favour of reducing the representation of the counties mentioned, and giving their Members to the populous parts of England. Personally, I should not be averse to a redistribution of seats on a purely population basis; but I do not believe public opinion is ripe for such a scheme. It would interfere with too many interests. It would necessitate the extinction of boroughs, in the sense that their boundaries would no longer be the limits of the constituencies, and it would involve a transfer of Members from the rural districts to the populous districts. I do not see any such general concurrence of public opinion as would make such a change possible. Certainly, in the present condition of the relations of Ireland to the Imperial Parliament, and having regard to the arguments I have ventured to present in respect of the agricultural parts of England and of the boroughs, I do not think, if the matter were thoroughly discussed, the Amendment of the hon. Member would be adopted, or that the House would entertain any great scheme of redistribution. The question raised by the Bill, I venture to submit to the House, is one which is altogether apart from any question of redistribution of seats. It raises the questions of equality of electoral rights, and of the abolition of privilege as between the wealthy and the poor; it aims at equal treatment of persons of all classes. Having these great objects in view, it has commended itself to great bodies of people throughout the country, and I believe there is no question raised of recent years which has aroused greater interest in the country, or which is more certain at an early day to require to be dealt with by Parliament. I beg to move that the Bill be now read a second time.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. Shaw Lefevre.*)

\*(1.40.) MR. T. W. RUSSELL (Tyrone, S.): The right hon. Gentleman said that this question was one in which the country is considerably interested; but if the interest of the country in any question is measured by the interest shown by the House, no one would believe it was a very interesting question who saw you, Sir, sitting there, till ten minutes to one, waiting for enough Members to make a House. There are two ways of meeting a Motion like that of the right hon. Gentleman. There is the way I propose, and there is that suggested by my hon. Friend the Member for Chelsea (Mr. Whitmore), of rejecting the Bill altogether. Although I do not take that course I am far from denying that there is something to be said for it. We do not under the Constitution give the vote as a right to any man, or every man would have it, and we know that every man has not got the vote. The vote is attached to the holding of a house or land in any part of the country, and it is defensible for anyone on the opposite side to say they will not go behind the register of houses and lands. I do not take those grounds; my Amendment deals with the question as part of the democratic tendencies of the time. The right hon. Gentleman was quite right when he said I did not attack the principle of his Bill. The question has been raised before, but not as one of those great political issues with which we have had to deal in the last sixty years. During that period, by a gradual process of electoral evolution, we have reached our present position, which is the enfranchisement of the capable male citizen. The Bill proposes to break through that. The right hon. Gentleman professes to have discovered for the first time that owing to the property qualification in different parts of the country the rich voter has some advantage over the poor one, and he proposes to disfranchise by his Bill a properly qualified elector who may have a twofold qualification. The right hon. Gentleman says that he has five votes; I have two: one in Dublin and one in Chelsea; and I must make up my mind under the Bill at which of these places I will give my vote. I have said this is not the first time this proposal has been

made. The right hon. Gentleman talked about a discussion on dual voting in 1867, but I think he will admit that that discussion ranged more on the question of the creation of faggot votes than on that of dual voting, as dealt with in this Bill. The right hon. Member for Midlothian (Mr. W. E. Gladstone) then declared his impregnable hostility to dual voting; but in 1884 he positively refused to adopt a Motion precisely similar to this Bill, and therefore I take it that in 1867 he was declaring really his impregnable hostility to faggot voting. In 1884 the Representation of the People Bill was before the House, by which two million new electors were to be added to the electorate. Mr. MacLaren, sitting on the Government side below the Gangway, moved an Amendment in Committee on that Bill proposing to prevent the holder of dual votes voting at both places. The right hon. Member for Bradford (Mr. Shaw Lefevre) said that a proposal was made to reduce the Irish representation, which was only supported by twenty-five votes. But how many votes did Mr. Maclean's proposal of "One Man One Vote" secure? It only secured forty-three, and the Front Bench with the right hon. Member for Midlothian declined to support him. It is singular that right hon. Gentlemen find things convenient when they are out of office which they do not find convenient when in office. That is the case here. What is the position I take up in my Amendment? I simply say that I should be content, and those who support me would be content, to go on with the franchise as it is. We consider that the electoral machine is in good order and capable of doing good work; but if there is any overwhelming anxiety to have the machinery renewed, or to have any new constitutional machinery introduced, then we contend that, instead of tinkering with the voting machinery, we should see that the constitutional machinery we are to get and which is to be put in its place is machinery that will stand the wear and tear before it, and that is powerful enough to stand the test to which it will be submitted in the future. That is exactly the position we take up. What would be

*Mr. T. W. Russell*

done by this Bill? I do not speak of the Bill from a party standpoint, because the right hon. Gentleman has admitted that it cannot entirely be called a party question. These dual votes do not belong to one party—they belong to both. What does this question amount to, when we look at it as regards the votes that would be affected by this Bill, if it were passed, in England and Wales? They number 199,843. These are the men out of something like four millions that would be affected by a vote of this kind. In the counties there are 121,287 non-resident voters, and 10,770 non-resident occupation electors; in the boroughs there are 56,630 non-resident occupation voters, and 11,156 non-resident voters; making a total of 199,843 electors. It is not a very large measure at best, and cannot be entitled a party measure, although if right hon. Gentlemen on the Opposition Front Bench did not expect to derive some party advantage from it, they would not be moving it now when they rejected it in 1884. Still, I do not look at it as a strictly party measure, and I do not think it would very greatly matter on either side if it were to be passed. The right hon. Gentleman over and over again in his speech used the words "equality in voting." I agree, if his object be to secure equality in voting, that he ought to be supported. I am in favour of equal voting, and that is the object with which I put my Amendment on the Paper. "One Man One Vote," if you like; but "One Vote One Value," in addition to that. If the right hon. Gentleman is anxious about equality of voting, I cannot see how he can possibly oppose my Amendment. Take the present distribution of the population in the country. The population of England and Wales, according to the Census of 1891, was, roughly speaking, twenty-seven and a half millions, and England has 461 Members. The population of Wales was 1,500,000, and Wales has thirty-four Members. The population of Scotland was a little over 4,000,000, with 72 Members. The population of Ireland was 4,750,000, with 103 Members. If the Members were distributed according to population in the three



countries, we should reach this result : In England there would be 484 Members instead of 461 ; in Wales there would be thirty-one instead of thirty-four ; Scotland would have exactly the same number as it has now ; and Ireland, instead of 103, would have eighty-three Members. There would be a reduction of twenty in Ireland, and three in Wales. Now, in order to secure equality in voting, there would not only require to be a redistribution as between the three Kingdoms, but there would have to be a very extensive redistribution in Ireland itself. Let us take some of the glaring anomalies; and I quite admit, as the right hon. Gentleman contends, that this dual vote is an anomaly ; but the Constitution is full of anomalies. All I contend for is this : If we are going to take the Constitution to pieces in order to correct anomalies, let us correct some other anomalies which are equally patent and flagrant while we are at the work. Let us take some of the facts as regards Irish representation, not as affecting the relation between Ireland and England, but as affecting the relation between one part of Ireland and another. Let us take three boroughs represented by hon. Gentlemen below the Gangway. Take the borough of Galway. It has 1,655 electors ; Kilkenny has 1,639 electors ; and Newry has 1,875 electors. In all three boroughs there are 5,169 electors, and they send three Members to sit below the Gangway in this House ; and the borough of Belfast with 35,000 electors only sends four Members to this House. Now, Mr. Speaker, on what principle has a wretched Galway freeman, worn out by corruption, as the whole class is worn out——? (" Oh, oh !") The whole class of freemen in Galway, I say ; who will stand up and defend them ? On what principle is a Galway freeman to be counted as six times more influential than a Belfast artisan in this House. If that is not an anomaly greater than the dual vote, I do not know how to weigh the comparative merits of questions. Take the Counties of Kerry and Antrim. The County of Kerry has 20,792 electors, the County of Antrim has 36,712 electors. Antrim has 16,000 electors more than Kerry,

and they have four Members apiece. Take the County of Longford, and contrast it with the County of Londonderry. Longford has two Members and 10,014 electors, and Londonderry has 20,845 electors, and only two Members. Take Donegal and contrast it with Down. Donegal has 28,149 electors, while Down has 38,982 ; and they have four Members each. The average Unionist vote in Ireland for a seat in this House is 9,100 in the counties ; and the average Nationalist vote is 7,300 in the counties. In the boroughs the average Unionist vote is 8,800, and the average Nationalist vote is 5,200. The right hon. Gentleman thought it would be unfair to interfere with the Irish representation. Some hon. Members in this House have gone so far as to say that it would be unconstitutional ; but that stand has not been taken to-day. It cannot be more unfair to bring the Irish representation into harmony with the population of the country than if we were to attempt to change the relation between England and Ireland on a representation so flagrantly unjust as that. The anomaly is not confined to Ireland. The right hon. Gentleman admitted that. There are three boroughs in England which have only 13,030 electors altogether, and yet have three Members, namely—Gravesend, which has only 4,695 electors, Hythe, which has 4,167, and Kidderminster, which has 4,168 electors ; whereas the great borough of Wandsworth, a suburb of London, with 16,283 electors, has only one Member. It may not be fair, in the right hon. Gentleman's opinion, to touch the representation of Ireland under the circumstances. I hold it would be unfair and positively unjust to proceed to the discussion of any question involving the relation of Ireland and England with a representation so flagrantly unjust to the Unionist Party as it is at present. My contention, as regards this whole subject, is an exceedingly simple contention. The right hon. Gentleman denies that it would be possible to reconstruct the seats without great labour and without much time. With that I am inclined to agree. I think it would take time and labour ; and because I think that, I complain

that it was not done when the seats were being redistributed and the votes were being dealt with. They might have been dealt with in 1884. The right hon. Gentlemen on that Bench neglected to do it; and the real reason why they did not touch the Irish representation was, not that they thought that Ireland had special claims, or that the population of Ireland might be increased in the future; but both sides of the House were afraid to touch it. They ought to have dealt with it; but neither side dared to grasp the nettle. I move this Resolution, not because I am against "One Man One Vote"—I am prepared to welcome it—but, whilst you are seeking for equality in voting, I say you cannot reach that end unless you supplement the proposal for "One Man One Vote" by a proposal for equal electoral districts, and for every vote to be of the same value. So far as I am concerned, what I have to say to the right hon. Gentleman is simply this: If he wishes that end, I am ready to support him, if he is really anxious that every vote should be of equal value and that we should not give a power to one man that another has not got I am ready to support him. I beg to move the Amendment which stands in my name.

\*(2.16.) MR. MACLEAN (Oldham): In rising to second this Amendment I do not wish to take exactly the same line as that taken by my hon. Friend the Member for South Tyrone with regard to the Bill which has been brought before the House to-day. I think that a good deal may be said against the measure upon its own merits, and that the principle proposed to be introduced by it requires very careful examination before it should be adopted by us. The right hon. Gentleman the Member for Bradford (Mr. Shaw Lefevre) was very severe in his criticisms on a voter who might have votes in more than one place; but it seems to me that what is called the non-resident voter may easily have very great material interests in more than the district in which he actually resides. A merchant, for instance, of the City of London may be a useful and valuable member of the community not only in the city where he does his business, but also in the suburb in

which he resides. The principle of the Bill is really one which does away with what has been always recognised as a qualification for the possession of the electoral privilege of this country, because it says that although a man may, perhaps, be the largest ratepayer in his own parish, yet he shall be deprived of a vote in that parish. Now, if you take away the electoral right based upon property on that account, are you also going to relieve him from the obligation of paying rates? Otherwise, you will have representation dissociated entirely from taxation. But, as the question of equality of voting has been raised by the Bill, I think it is perfectly to the purpose that my hon. Friend should ask that when this principle is taken into account, other anomalies than that of plural voting should also be discussed. There is no greater anomaly anywhere than the present representation of Ireland. The right hon. Member for Bradford said that this subject of "One Man One Vote" excited great interest in the country. I have spoken to many audiences on the question of the excessive representation of Ireland, and I have found that everywhere it is regarded as a very great grievance by the people of this country. In fact, the excessive representation of Ireland now is considered throughout Great Britain as a fraud upon the constituencies of this country. It seems to me that the Amendment affirms a simple proposition, which I am astonished that any man on the opposite side of the House should not gladly embrace. It lays down the plain statement that in a democratic system of government it is essential that all votes for the election of Members of Parliament shall be of equal value. The right hon. Member for Bradford criticised that proposal, and with a most wonderful amount of ingenious hair-splitting discovered all manner of objections to it. I have never heard even the pretence of an argument in favour of the maintenance of the present system of the representation of Ireland, except one, which, to my astonishment, has been made by some Members on this side of the House, and also by some hon. Members opposite. It is that it is an obligation of the Act of Union that we

should maintain the existing number of Members for Ireland. That is an argument which cannot lie in the mouths of hon. Gentlemen opposite, at all events, because they are extremely anxious to repeal the Act of Union altogether, and on various occasions during the present century they have already materially altered that Act. The maintenance and preservation of the Established Church of Ireland was an essential part of the Act of Union, and yet what weight had the moral obligation imposed by that guarantee upon the present Leader of the Opposition when he took it into his head that it was desirable to disestablish the Irish Church? The present representation of Ireland depends upon other considerations altogether. It cannot be described as an essential part of the Act of Union. It was based on considerations of the proportion between the wealth and resources of Ireland with those of Great Britain at the time of the Union; and I have a speech of Lord Castlereagh, made in the Irish Parliament before the Union, which describes very clearly the way in which the conclusion to give Ireland one hundred Members was arrived at by the Government of that time. Lord Castlereagh said—

“As to representation, the object should be to take it in the combined rate of numbers and of wealth. Now, the population of Great Britain was supposed to exceed ten millions and that of Ireland to be between three-and-a-half and four millions. Here was a proportion of more than two to one. On the other hand, the contributions of Great Britain were to the contributions of Ireland as intended to be fixed by the Act of Union about as seven-and-a-half to one. These two proportions taken together would produce a mean proportion of about five-and-a-half to one. If, therefore, with the British House of Commons consisting of five hundred and fifty-eight Members, Ireland should send one hundred, I am of opinion she will be fairly and adequately represented.”

These are evidently shifting conditions. The population of England since that time has increased very nearly threefold, the population of Ireland has barely increased at all, and if you take contributions to the Imperial Revenue into account, I may say the burden of England is proportionately very much heavier now than it was at any previous period during this century.

In that case there ought to be a very great change, according to the conditions laid down at that time, in the representation of Ireland in this Parliament, and England has an equitable right to demand that her population shall be properly represented in this House. The right hon. Member for Bradford, among other ingenious arguments, said that it was not only in Ireland that anomalies exist, but that there are anomalies in the representation of this country. The rural districts, he said, were over-represented in proportion to the great towns. But does he fail to see that, if we take from Ireland the twenty-three Members to which she is not now legitimately entitled, the Members will be transferred to the great boroughs of England, and that thereby the excessive representation of the rural districts of this country will be completely done away with and the representation fairly distributed over the boroughs and the rural districts? Then the right hon. Gentleman also said that there were one and a half million Irish Catholics in this country who were not represented at all. Why, our great grievance is that they are so very largely represented at the present moment. The fact is that the population of England in our great towns has grown very largely through Irish immigration into England. A large proportion of the population of Ireland has gone away from Ireland, part to America, I admit, but a very large part has also settled in England. Those Irishmen who come over and settle in our midst under our free Constitution at once enjoy the privilege of voters. At the time of the 1885 election, it was reckoned that the Irish vote which was so much in dispute between the two great parties in this House was very large in more than forty different boroughs, and that the difference in the strength between Conservatives and Radicals at that time was so small that the Irish vote in most of these boroughs would be quite sufficient to put the balance of power in the hands of Irish electors. That is a state of things with which many of us on both sides of the House must be perfectly familiar, and it is therefore absurd for the right hon. Gentleman to say that the Irish electors

of Great Britain are not adequately represented. I remember hearing the hon. Member for North-West Lanark (Mr. Cuninghame Graham), whose frankness we always admire, say in this House that he was elected not by the Scotch voters in his constituency who are supposed to send him here, but as Member for Mr. Parnell; and we all know that in the next Parliament there will be a considerable number of Members sent to support the right hon. Gentleman the Member for Midlothian, who will really be here as Members for Archbishop Walsh and the hon. and learned Member for Longford (Mr. T. M. Healy). That is the result of the immigration of a large number of Irishmen into this country; and all we say is that when they come here and get votes they ought to transfer with them from Ireland their fair share of electoral power. As it is, these Irish residents in our midst not only control the elections in our large boroughs, but are still represented in the depopulated districts of Ireland from which they have come by Members who have really no moral right to sit in this House. This is a very great question. An Irish vote at the present moment is not only as good as, but a great deal better than, an English vote; and what we want is fair play all round. I do not think that this proposal can possibly do any injustice to the Irish voter. We are not seeking to disfranchise anyone. We simply say that if we give them votes in England they shall not also maintain their representation in Ireland to the same extent. I am quite persuaded that the Government could undertake no more popular measure than a Bill for redistributing the whole of the representation of the United Kingdom in a fair way. It is very important that this task should now be undertaken, because we have under consideration a vital question affecting the whole of the United Kingdom, and the presence of so large an Irish population in our midst, combined with the excessive representation of Ireland, must prevent the opinions and wishes of the English people from being fairly and freely expressed in this House. In very many constituencies the real opinions of the English people are completely misrepresented by the

*Mr. Maclean*

Members who are sent to this House by an Irish vote which is stronger than the difference between the Conservative and the Radical Parties in those divisions, and when a great vital question of this sort is at issue there can be no doubt that the real feeling of the whole of the population should be expressed upon it. That cannot be done until this excessive representation of Ireland is redressed. I say that the rule of the Unionist Party is to have fair play all round. We are anxious to give to Irishmen everything that Englishmen and Scotchmen can fairly claim in the way of the rights of self-government; but, at the same time, we protest against this artificial misrepresentation of Ireland in the House of Commons, which gives to a small section of the population of the United Kingdom the right, on critical occasions, to determine the destinies of the Empire.

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "it would not be just or expedient to carry out the principle of 'One Man One Vote' embodied in this Bill unless the number of representatives allotted to England, Wales, Scotland, and Ireland respectively were previously settled in proportion to the population of each of those parts of the United Kingdom, and the principle of equality in voting thus secured."—(*Mr. T. W. Russell*.)

Question proposed, "That the words proposed to be left out stand part of the Question."

(2.32.) MR. JAMES STUART (Shoreditch, Hoxton): I have listened with great interest to the speech of the hon. Gentleman who has just sat down. While it was directed to a matter of considerable importance with respect to the question of representation, it was as wide from the original question before the House as one can well conceive. The hon. Member for South Tyrone endeavoured to hold up this scheme as something that is more desirable than the scheme which has been proposed by the Mover of the Resolution. Now, I have sat here since a quarter to one o'clock, and I have listened to two speeches with reference to the Amendment, and I confess that I have been unable to find out what the question of the redistribution of seats has



to do with the question of the plural vote; I also entirely fail to see what the question of the plural vote has to do with Unionism or non-Unionism as regards the Union of England and Ireland. It has been pretty generally admitted that the results of plural voting are not so entirely political as they are personal. The hon. Member for South Tyrone stated that he had no sympathy with the argument that it was only fair and reasonable that the people who have property in different boroughs should have votes in each borough; but we wished to hear what arguments he had to advance against the principle which is embodied in this Bill, and which we, on this side of the House, declare to be thoroughly sound. We cannot see the difference between a man having a number of votes in one constituency, and having a number of votes in adjacent constituencies. In London a man may not have a vote in the two divisions of Shoreditch, or in all the seven divisions of the Tower Hamlets. He may, however, vote in any number of the adjacent districts, provided they are not in the same borough. The position of affairs in London, therefore, makes it exceedingly difficult for hon. Gentlemen opposite to argue that it is a fair and right thing to give a man a vote in a number of different constituencies when he has not the right given to him of plural voting in any one constituency. That is a point which hon. Gentlemen opposite do not care to deal with. They try to entangle the question by raising an entirely different matter—they drag a red herring across the track by raising the question as to whether Ireland is over-represented or not. Now, the hon. Gentleman who moved the Amendment and the hon. Gentleman who has just sat down have spoken as if the question of the redistribution of seats generally were involved, as well as those great anomalies which exist, and in which we find that large bodies of voters are represented to only the same extent as small bodies of voters. But I would point out to the House that much greater anomalies in this respect exist in England than in Ireland, and that if the matter is to be tackled at all it should first be dealt with within the limits of England. What does the

hon. Member for South Tyrone say? Why, that—

“It would not be just or expedient to carry out the principle of ‘One Man One Vote’ embodied in this Bill, unless the number of representatives allotted to England, Wales, Scotland, and Ireland respectively were previously settled in proportion to the population of each of those parts of the United Kingdom, and the principle of equality in voting thus secured.”

But I would point out that the principle of equality is not in any way interfered with. The hon. Gentleman dwelt with considerable force upon the fact that the population of three small constituencies in Ireland was only about one-third or one-fourth of the average population of many boroughs in the United Kingdom, and he said those constituencies were represented by Members of the National Party. Yet the House should remember that there are not fewer than thirteen or fourteen constituencies in England and Wales alone—to say nothing of Scotland, in which there are a considerable number—of the same size as those referred to by the hon. Member, which also elect Members of Parliament. There are likewise no fewer than twenty-eight, if not thirty, borough constituencies in England and Wales which do not contain more than half the number of voters in the average constituencies, which are also represented in Parliament. Out of the thirteen boroughs I have referred to, I find that nearly all of them are represented by the Party opposite. So that “What is sauce for the goose is also sauce for the gander”; and if you say that before you can remedy this anomaly you must alter the representation of some parts of Ireland to meet the wishes of a certain Party in that country, then we answer that these anomalies exist to a much larger extent in other parts of Great Britain, and it is equally useless now to call for their rectification. If we were to take the twenty or the twenty-three Members referred to from Ireland and give them to England, the hon. Member who seconded the Amendment thinks that would enable us to meet the difficulty. Why, the difficulty in England is not only one of under-representation of certain districts, but of the over-representation of others. There are a

large number of constituencies—thirty at any rate—in regard to which complete redistribution is required. There are certain parts of England where the over-representation is very marked—as in Cornwall, Devon, and Somerset. Therefore the whole case is full of anomalies, and to imagine that they can be removed by depriving Ireland of a certain number of Members and giving them to England is about the most ridiculous assumption ever made. What the hon. Member should have urged was that there should be a Redistribution Bill brought in to remove the whole of the anomalies, if it is required; but it was not his object to do that. His Amendment was something very different. He says only that Ireland is over-represented, and that we should proceed to diminish its representation. It should be remembered that fifty years ago the population of Ireland was more than half that of England, and very nearly one-third of the population of the whole of the United Kingdom. Then it was represented by 103 Members out of 665—that is to say, by less than a sixth of the whole. That state of things continued till the population of Ireland diminished; it has now come down to a seventh. That has been the result of your precious government of Ireland—that is the way in which you have made Ireland a “prosperous country” as you now call it. I wish the House to observe that practically up to 1880, Ireland was under-represented, and that whilst the population of that country has decreased nearly one-half during the last fifteen years, that of the rest of the United Kingdom has very nearly doubled. The hon. Gentleman who seconded the Amendment referred to the Act of Union. The Act of Union guarantees to Ireland one hundred Members in this House. “But,” says the hon. Member for South Tyrone (Mr. T. W. Russell), “that should not be used as an argument for the retention here of one hundred Representatives, because the side of politics to which you belong are willing to change that Act.” Yes, but the side to which the hon. Member belongs is unwilling to change that Act, and they go through the country declaring that everything is going to ruin, because we

are going to change it. That Act is the rock to which they cling; it is the anchor of the whole case for them. Well, the Act of Union is perfectly clear on this matter. The fourth Article of it says one hundred Commoners is to be the number to sit and vote on the part of Ireland in the House of Commons of the Parliament of the United Kingdom. That is a provision of a Clause of the Act of Union, and yet the hon. Member for South Tyrone is perfectly prepared to urge the desirability of meddling with it in order to hinder a desirable English reform. The attention of the House, I am sorry to say, has been diverted from the main issue before us, which is decidedly and distinctly an act of justice. But that is the fault of those who have drawn a red herring across the path in the form of the Amendment. Now, I will ask the House to look for a moment at the magnitude of the figures bearing on this question as contained in a Return obtained by the right hon. Member for Halifax (Mr. Stansfeld) in 1888, and I take it that those figures have not materially altered since then. The Return in question showed that two hundred thousand votes would be struck off the register if this Bill became law. But I venture to believe that those numbers are grossly minimised, and no doubt many hon. Members who have looked into this matter as it affects their own constituency will agree with me. In my own constituency, for example, the outvoters constitute ten per cent. of the whole, according to the register; but I feel sure there are a great many more, because the register is very carelessly made up, and here I may incidentally say that there is great need for a better method of making up the registers. Judging from my own experience, I venture to think that instead of 200,000 votes this Bill, if passed, would affect double that number. To a large extent these plural voters are concentrated in a certain number of constituencies which they are practically able to secure for their Party. The existence of plural votes is especially noticeable in and around London. In the Wimbledon district the sub-voters are twenty-five per cent. of the whole, and in the Tottenham district—and in this case I only speak from memory—

*Mr. James Stuart*

they are about twenty per cent. of the whole. In such constituencies as these, scattered all over the country, the resident voters are completely outvoted by persons from outside, and this constitutes, I think, a very unsatisfactory element in the politics of this country. The right hon. Gentleman who introduced this Bill spoke about the plural voting of London, and it is only as a Metropolitan Member that I have ventured to do so too. I should like to add to what I have already said that in London, on the marked registers, there are more than 35,000 double voters; and basing my estimate on what I know of constituencies, I say that that number does not represent more than half the truth. Well, Sir, I trust the House will see its way to vote in favour of this reform. It is a matter of regret to me that we have to vote on an Amendment which hon. Members who have supported it have failed to show has anything to do with the main issue. It is, however, a consolation to know that if this Bill is not passed in the present Parliament it will be in one not now very remote. Plural voting is a remnant of an old and bad system, which stands condemned amongst the masses of the people, and which the House has practically condemned also, and I trust hon. Members will see their way to support the Second Reading of this Bill.

\*(3.0.) MR. WHITMORE (Chelsea): I agree with the Amendment that if the principle of "One Man One Vote" is to be carried out it must be accompanied by a large and drastic measure of redistribution, which will take into account, not only the relative population of Great Britain and Ireland, but the varying population of different districts of Great Britain itself. But as one who is absolutely opposed to the principle of "One Man One Vote," I think it only right that I should have put on the Paper an Amendment directly traversing the policy of this Bill; and although I shall not have the opportunity of taking a Division on my Amendment, yet in the few remarks I have to make now I should like to say something on the real issue put before us by this Bill. Now I contend, in the first place, that no real injustice is inflicted upon a community or indi-

vidual voters by the system of plural voting. I contend, moreover, that there is no possessor of a single vote who should feel any sense of hardship in the fact that another voter has more than one vote, providing that that further vote is held in respect of a substantial and *bona fide* interest in a constituency. It may be well that when this House has to consider the whole question of representation once more it should provide more stringent measures for the prevention of the artificial creation of rent-charges. But by this Bill you are seeking to punish the innocent with the fictitious possessor of a vote. I repeat that a man who has only one vote cannot and does not feel any real sense of wrong because his neighbour happens to have another *bona fide* qualification. The right hon. Gentleman (Mr. Shaw Lefevre) has told the House that he has five votes. Well, if he possesses them in virtue of a substantial stake in particular constituencies, I confess I cannot bring myself into a state of hysterical indignation so as to grudge him, for one moment, the possession of them. I should like to lay before the House a concrete illustration. Suppose the case of an owner of land in Kent. The man farms a certain amount of land in that county, employs a good deal of labour, pays considerable rates, is an active member of the local bodies, and endeavours to interest himself in every local good work. Suppose also that that man happens to be a large employer in London, as a man of business, and that, in consequence, he is obliged to make his home in the Metropolis during some portion of the year. He must be a large ratepayer in London, and perhaps he exerts himself whilst here in every good work just the same as when he is in the country. Will the House say that that man would not have a proper sense of direct personal injury and wrong if it is decided that he must elect to vote either in London or in Kent, and not in both places? Suppose he elects to vote in London only, and a question involving the nationalisation or municipalisation of land—and, therefore, his land—comes before the country at an election, would it not be a monstrous wrong that he should not be able to give a vote on this question in Kent? Or, if he elects

to vote in Kent and the question of a legal eight hours day comes before the constituencies, would it not be a monstrous wrong that he should not have a right to vote in London on that question? When you come to the bottom of this matter, the idea of right hon. and hon. Members opposite is that you can give effect to some sort of equality between men. Well, I do not think that is either natural or possible; I do not believe that by legislation you can prevent one man having more political power than another. You may try, but your idea is Utopian, delusive, and merely encourages false hopes. You cannot create equality between individual voters, for it must always be the case that character, intellect, knowledge and influence in a locality will give to one man more power than to another, despite the most absolutely perfect system of "One Man One Vote." Does it at present look as if the power of wealth to influence voters is at all diminishing? I do not think so, and therefore I believe that any idea of giving to individual men votes of absolutely equal value is illusory, and I think would also be injurious. It is curious to see four ex-Cabinet Ministers and the representatives of Trade Unionism combining in an endeavour to prevent the exercise of the franchise by a body of men who, by the very exercise of their vote, prove their interest, for it necessarily follows that a freeholder living in one place who takes the trouble to vote in another constituency must be genuinely interested. It is curious, too, to note that those gentlemen are not affected by the other gross anomalies which mark representation in different parts of the country. When it comes to the question of the abuse of the illiterate vote—and it is a notorious and undisputed abuse in Ireland—right hon. Gentlemen on the Opposition Front Bench will not even condescend to discuss the question except through the rather indiscreet utterances of an ambitious Whip. The action of right hon. Gentlemen opposite has been to show extreme gentleness to murder, where it was the murder of gamekeepers; they have wept over the woes of a Miss Cass; they are very anxious to find excuses for social

intimidation, and some of them have not shown any desire to make the conviction of criminal clerks more easy. But now they come as a united Party to inflict novel penalties on the freeholders of England who, at their own expense and trouble, dare to exercise the vote. For those reasons I do not shrink from meeting the plain issue. I hope this Bill will fail, and I hope that for all time a large majority in this House will maintain with me that no injustice to the community or to the individual is caused by the plural vote in connection with a *bona fide* qualification of residence or of property.

\*SIR G. TREVELYAN (Glasgow, Bridgeton): We always hear the hon. Member for Chelsea (Mr. Whitmore) with pleasure, but I think we have never heard him with greater pleasure than to-day. It is refreshing, in such an atmosphere as that in which we have been groping about during the last two hours, to hear a downright, straightforward speech, going for the merits and demerits of the question. It is the sort of speech which we wish to answer, and it contains the sort of argument by which we desire to be met when going before the electors. I should be glad to learn that the Government had resolved to fight behind the standard of the hon. Member for Chelsea, rather than behind that of the hon. Member for South Tyrone (Mr. T. W. Russell). The speech of the hon. Member for South Tyrone was, as ever, fiery and burning, and it was marked, too, by a most significant absence of argument. It is really hardly possible to answer that speech except in a few sentences, because its arguments were so scanty and so extremely trivial. The first of these arguments was the fact that at this period of the Session there is some difficulty in making a House. The only answer I will make to that argument is that more than once when the question of Household Suffrage in the counties was before the House, we, its advocates, had equal difficulty in making a House. Yet Household Suffrage in the counties is part of the law of the land, and we accept that omen. Then the hon. Member tried the argument of inconsistency. He

*Mr. Whitmore*



said: "You Liberals now endeavour to take away the plural vote, whereas you did not show the same eagerness in 1884"; and therefore the hon. Member moves an Amendment to the effect that the representation of Ireland is to be diminished. I will answer that argument very shortly. In the year 1884 it is quite true that this question of plural voting was brought before the House of Commons, and that only forty-three Liberals voted in favour of dealing with it; but it is also equally true that in the course of the same Debate the question of reducing the representation of Ireland was brought forward, and that only twenty-five Conservatives were in favour of it. And so we will put the forty-three against the twenty-five, and I think that even the Chancellor of the Exchequer, the greatest master of the argument of *tu quoque* that ever sat on those Benches, will not be able to make anything out of it. The hon. Member complained that it would be unfair to pass this measure because, while diminishing the number of plural votes in England, Scotland, and Wales, the Unionists would remain handicapped by the excessive representation of Derry as compared with Antrim, Longford as compared with Londonderry, and in several other instances. It is not, however, necessary for me to meet the hon. Member's argument, because he went on to say that this was not in any sense a Party measure, that there were plural votes on both sides, and that he did not consider one side would be seriously more damaged than another. By that statement he cuts away from himself the power of laying any stress upon his argument that the plural vote in England neutralises the under-representation of Unionism in Ireland. He went on to say that the grievance was a small one, and that there were not more than two hundred thousand voters concerned. That point was insisted upon last year by two able speakers, the right hon. Gentleman the Member for West Birmingham (Mr. J. Chamberlain) and the President of the Local Government Board (Mr. Ritchie); but care was taken to treat very gingerly such an Amendment as the one now proposed, because they must have known that it did not bear in any

serious respect upon the great question of plural voting. The grievance is much more serious, however, than the hon. Member for South Tyrone represents; there are infinitely more than two hundred thousand plural voters. In the towns plural voting depends upon the occupation vote. A man has a villa in the suburbs as well as a shop or place of business in the town. We have a Return about these non-resident occupation voters, and I will give the House one or two extracts. In South Bristol there are 1,374 non-resident voters in one district, in Central Birmingham 1,973, in one division of Liverpool 1,636, in another 1,350, in one division of Manchester there are 4,400; in one division of London there are thirteen thousand, and in the City, not counting the livery voters, there are nineteen thousand. Over and above those mentioned in the Return, there are numbers in Scotland who have carefully taken out a non-resident occupation vote. In a single division of Glasgow I find there are 2,991, of whom 1,500 reside in Renfrewshire and 1,100 in the Partick Division of Lanarkshire. In addition, a great number of non-resident votes must be added in consequence of the culpable negligence which has characterised the making out of this Return. Places have been omitted, and they are precisely those places in which the greatest number of non-resident occupiers live. In London such divisions as the Strand, Westminster, and St. George's, Hanover Square, have been left out. I do not know how many thousands of non-occupiers there are in those divisions, but I am sure the number would come to a good many thousands. The Return also excludes Hull, Sheffield, Leeds, and Salford. Such is its worth. And now let me come to a much more serious question—that of the county voters. The counties are absolutely swamped by plural votes. The Return gives the number at one hundred and twenty-four thousand, but it is most deceptive. I will take a single county district—that of Fareham, in South Hants. The number of freeholders stated in the Return is 4,700, and of these 4,200 are said to reside in the Fareham Division; but they reside for the most part in Portsmouth and Southampton—that is to say, in towns which are technically

included for the sake of enabling freeholders to vote, but which are not in the division for residential purposes. In the Lewes Division of Sussex there are three thousand ownership voters put down as residents, but they all live in Brighton, and are Brighton men. They are not in any sense resident voters except for the sake of this Return. I have not the slightest doubt that a genuine Return of the non-resident voters would embrace half the property voters of the country. There is a curious proof of this in a single passage in the *Times* newspaper. I see that the Return states there are only 280 non-resident voters in East Dorset, but on the occasion of the recent election in that division, the *Times* said there were upwards of six hundred out-voters, of whom eighty-five per cent. may be reckoned as Unionists. That means that instead of 280 out-voters there are at least six hundred. A few months before, at the election in North Bucks, the same newspaper announced that the election was in the hands of the out voters, 600 in number. So here you have two important elections, one of which went in one direction and one in another, which by the confession of those concerned in the election, depended not upon the vote of the real genuine residents, but on the vote of a number of people who came in for the sake of the election alone. What I should like to know is what on earth the Amendment has to do with the main question. I agree in one respect very much with the mover of the Amendment. I am all in favour of the principle of redistribution according to population, and there are certain people who are seriously injured by this redistribution not being according to population. But how does it help a man who is in the position of being out-voted if you put off this most important reform for the sake of another? Here is a man in, let us say, the Harrow Division of Middlesex; he has not his fair share of representation owing to Ireland being over-represented, but at the same time this man has still further diminished his fair share of representation, because some 3,000 individuals come from St. Pancras and Marylebone, and other parts of London—I forget for the moment what parts are told off to the Harrow

Division—and out-vote this man, and thus prevent him from having his fair share of representation. We wish to remove this grievance, but the hon. Member says “No, you shall not do it, because you will not reconsider the whole question of reform.” One great superiority of our plan over his is that our plan is quite complete. Our plan at any rate will redress this great grievance, and his plan is partial. It affects the relations between different parts of the kingdom, between the different nations; but it leaves equally grave abuses alone. It may be wrong that Wales should have twenty-seven seats when she ought to have thirty, or, taking in Monmouth, thirty when she ought to have thirty-four. But it is wrong likewise that within the confines of England eleven boroughs with a Member each should only have an electorate of 33,000, whilst Bristol, with 39,000, has only four Members; Bradford, with 35,000, has only three; and Newcastle, with 32,000, has only two. There you have a grievance greater than the over-representation of Wales, or even of Ireland; and yet the hon. Member comes forward with this Amendment, and proposes to cross a great and complete reform like this with a mere re-adjustment of representation between the countries, the nations, the provinces—whatever he prefers to call them—that constitute this Kingdom. Now I come to the speech of the hon. Member opposite (Mr. Whitmore). He went straight to the root of the matter, and in the first place drew a distinction between the County Councils and Parliament. We are extremely pleased to have a most excellent precedent set us by the Government three or four years ago, when, following the lines of the just system of the municipalities in this country that a man may only vote in one ward in a municipal contest, they laid it down that a man could only vote for one division in a County Council election. But, says the hon. Member, that is a very different matter from politics. I see no difference whatever. The Gloucestershire County Council is the Council of Gloucester; the London County Council is the Council of London, and Parliament is the great Council of the nation. It is right that every man in Gloucestershire

*Sir G. Trevelyan*

should have one vote for Gloucestershire, and one vote only; to the London County Council the same principle should apply; and each man should have one vote and one vote only for the great Council of the nation, the Parliament. But the hon. Member says, "Oh, yes, very true; but a man may have property in Kent and property in Yorkshire, and when Kent questions and Yorkshire questions are being discussed in the House of Commons, he should be able to have a distinct voice and vote on each of those questions." But some counties are very large. Take the County of Northumberland, for instance. It is cut in two by a range of mountains, and the two parts of the county are entirely different in character. What earthly reason is there for giving a man a voice for Kent and a voice for Yorkshire in the great Council of the nation that there is not for giving a man who has property on the Tyne and property near Berwick-on-Tweed two votes in the County Council of Northumberland? The argument is exactly the same; the deduction should be exactly the same. Take the financial state of these counties. It is proposed to levy a penny rate in Gloucester and a penny rate in Kent, and a man who has property in Gloucester and resides in Kent is interested in both, and can give a vote at both County Council elections; but in Parliament every tax that is made affects the whole community alike, and whereas the rate of Gloucestershire is entirely distinct from the rate of Kent, the Income Tax is exactly the same all over the country. But the hon. Gentleman went to the root of the matter when he told us that this was a question of political equality, and it is for political equality that we are fighting. We are absolutely in favour of political equality. We know very well the difference between the Quixotic cry for equality in matters which cannot be attained—for equality in the matter of wealth, for equality in the matter of intellect, and in everything that fortune and birth can give, and the equality which you can attain and which you ought to enforce in every department of State, and that is equality under the law. Every man should have the same vote, every man should have exactly the

same voice in electing a Member of Parliament. That is to say, he should be able to give one vote for one Member of Parliament, and that for a very good reason, because every man in every class presumably has the same interest in the deliberations of Parliament. It is entirely fallacious to imagine that a man's interest in what passes in this House can in any way be measured by his property. The poor depend upon this House, the working classes depend upon it in many respects to a degree that the rich do not depend at all. For whose benefit are most of our sanitation laws, all laws which prevent excessive labour, all the laws which soften the load of suffering and dependence, for whose sake are these laws passed? They are more for the sake of the poor than for the sake of the rich. If you go even to the questions of war or recruiting, the lot of the private soldier is more dependent on the deliberations of this House than that of the officer, and so is the lot of the private sailor, than that of the merchant captain or the captain in the Royal Navy. The poor man depends for his welfare on this House just as much as the rich, and I maintain that he has equal capacity for giving his vote rightly in the election of a Member of this House. Our view is that the most important thing is to get the greatest number of intelligent and independent votes; and since the advance of education in this country the votes of the working classes are, for the purpose for which votes are given, an intelligent expression of the needs and aspirations of those who give them. They are perfectly intelligent, and since the Ballot they are perfectly independent. (A laugh.) An hon. Member opposite laughs. If he thinks the Ballot does not make them independent, then why does he want to do away with the illiterate vote? But the working man has not the same franchise as those who are more fortunate. If you go to ecclesiastical matters you find amongst the congregations of the Nonconformists that the ministers have each one vote, whilst the clergy of the Established Church have, to a great extent, two votes. They vote for the place where they reside, and they vote for the University to which they belong. On a question which to the

working classes is absolutely second to none, the liquor traffic, the question of the happiness of their own households, the elevation and sobriety of their own class, it must be remembered that while the working man seldom has more than one vote—and under the existing system of registration it is often difficult to get even that—there is no class which so revels in multiplied votes as that which is connected with the liquor traffic. But I have been reminded that this is not only a question which affects the rich, but that it also affects a great number of working men, who are fond of house property in which to invest their savings. There are such men, I am glad to think, but they will not be largely affected if this Bill is passed. The working man who owns his own house for the most part lives in it, and if he lives in it in a borough he votes for it in a borough, and he does not vote as a county voter. The working man very seldom owns a plural vote, and I will venture to say he never owns a faggot vote. And these out-voters in very many cases vote on sham qualifications, and with votes purchased outright, and without any shame. Look at the Livery votes in the City of London. Again, you often find cases where three or four men are quartered on one poorhouse, the rateable value of which is just enough to cover the three or four votes—a house the locality of which they do not know, the outside of which they would not recognise, and a house which enables them once in four or five years, as I think it ought to be, or once in six or seven years, as it is now, to vote down the opinions and wishes of the real residents. It is said that plural voting is a sort of test of civic virtue. It is no such thing. But there is one permanent test of civic virtue which I am glad to see is always in force, and that is the public opinion of the locality as to the character and intelligence of such and such a man. A man who has the confidence and respect of his neighbours will turn scores and hundreds of votes at a contested election: and that is as it ought to be. The only thing that the faggot vote and the plural vote is a test of is that a man is willing to strain to the utmost the provisions of a bad law, and is ready to spend his money and his leisure

to get advantages which his more busy and poorer neighbours cannot obtain. I believe there is no Act of Parliament through which a clever agent could not drive a coach and four unless it is plain, simple, and short in its provisions like this. The only cure for faggot voting is to abolish plural voting, and that this Bill does in a short, simple, and plain manner, in a manner in which it has already been done by the Government in municipal elections and in every English-speaking country where plural voting has been put down. This is a question of establishing equality before the law with regard to the highest of all functions, the most valued of all rights; and if the Government wishes to convince the people at the General Election, which is now all but upon us, that our Bill is inexpedient and unjust, that our Bill is some very much better than this miserable ghost of an argument than which has been drawn red herring will draw across our path.

**HUSFIELD** (Hackney, N.): Sir, I differ somewhat from my hon. Friend who is prepared to (Mr. Whitmore). I admit extent the concede to the fullest equality, and to principle of political equality as far as in me maintain that principle as which the principles. The principle upon which is based is a position before the House is that perfectly intelligible one: equal voice every voter should have an equal country. in the government of the people from That I conceive to be a principle. It is which it is too late to go back the no use for us to try to put out what hands of the clock of time, but. Mem- we are objecting to is that honest that bers on the other side fail to equally in some cases it may be of the foolish to put the hands forward. clock of time too far for com- We object to a partial and in which plete application of the principle which I have stated. We object to way principle being applied in such a way as rather to make the representation at this country less accurate than it is at the present moment instead of making it more accurate. The principle is seen obvious and plain one, and has been admitted by many Members on our side, but we are accused, when we go to support the Amendment, of wanting to draw a red herring across the trail



for one, wish to address myself to the main point at issue in this case, and I venture to think that is, shall we at the present moment make a partial application of the principle, or is it not rather the right thing to make a complete application of the principle in due course? Perhaps I may give a homely illustration which will make my position clear. When a carpenter has to smooth a rough piece of wood, he starts with a jack-plane; he then puts on the trying-plane, taking off a certain further roughness, and then finishes with the smoothing-plane, which clears away the final irregularities, and finishes the work. It appears to me that the Bill is an attempt to put on the smoothing-plane before the jack-plane. That is to say, that so long as there are the vast inequalities in the value of each vote which exist in the constituencies at present, it seems trivial to bring forward a matter of this kind. I venture to think, Sir, that the real motive of hon. Gentlemen opposite is to serve up one of those dainty dishes which are served up from time to time for consumption outside the House. There are great social and industrial questions being discussed by vast bodies of men outside this House which hon. Gentlemen in the House do not discuss, and in some cases refuse to discuss. It is sixty years since the first Reform Act was passed, and we have been constantly mending the Constitution since then, and I think the time has now come when we should put the machine to some practical work, instead of stopping from time to time to dangle these little bits of constitutional change before the electorate. The attitude of hon. Gentlemen opposite reminds me of that of a soldier sharpening his sword periodically at the grindstone instead of going out to test it on the enemy. For sixty years we have been sharpening the sword at the grindstone; I think we should now try to put the instrument we have to some use before we go further with the sharpening process. Hon. Gentlemen opposite appear to me to be straining at a gnat and swallowing a camel. If I may invert the metaphor for the moment, I would say if they are prepared to swallow the camel I do not think after that process

has been accomplished—doubtless with many wry faces—we shall be unprepared to bolt the gnat.

(3.57.) MR. SEXTON (Belfast, W.): I am less concerned with the Bill than with the Amendment, which is directed against Ireland. I can understand the hon. Member for Chelsea (Mr. Whitmore) moving the direct negative to the Bill, the principle of which is simple and clear. There are two logical positions which can be taken up with respect to the Bill; either that persons liable equally to the duties of citizenship should have equal electoral rights, or if property is to be regarded as the decisive test the right should be proportionate to it. If the vote is to attach to houses and lands it should equally attach to ships, Consols, or mines. I take the position that men are equal and should have equal electoral rights; or else, if property is the qualification, the right should be proportionate to the property, and that is a position which the most enterprising plutocrat would scarcely care to defend. I will now turn to the Amendment, which is directed against Ireland, and I say so, because the hon. Member who moved it confessed without reserve that its effect if carried would be that England would gain twenty-three Members by taking three Members from Wales and twenty from Ireland. The Amendment is moved by an Irish Member, but not by an Irishman. I doubt if any Irishman would have moved it. No Irishman has spoken in support of it, and I shall be curious to hear from any Irishman who supports it he how reconciles the reduction by one-fifth of the representation of our country with the interests of Ireland. The hon. Member enjoys the political hospitality of Ireland; he was a stranger, and we took him in. But, Sir, not only among civilised, but even among savage, races the receipt of hospitality is supposed to entail some obligations. The marauding Bedouin of the Desert makes it a point of honour not to meddle with the possessions of those with whom he has broken bread or eaten salt. The hon. Member has enjoyed the political hospitality of Ireland, and the way he proposes to show his gratitude is to run away with as much of the political property of Ireland as he can. The guest who behaves in such a manner towards his enter-

tainers would do well to consider the reception which he is likely to have on his return to Ireland. The hon. Member is a member of the Unionist Party, and this is one of the numerous actions by which we are driven to conclude that the policy of the Unionist Party is Separatist at the core. Is this in any practical sense of the term a United Kingdom? If it be, what is the meaning of the argument that as between different parts of the United Kingdom representation ought to be strictly proportionate to population? The speech of the hon. Member is one which I could understand if this were a Federal Assembly and Ireland a separate State. Then you would, no doubt, be entitled to consider the strict representation of Ireland in proportion to her population. But I submit, when you raise here the strict argument of the representation of Ireland, without regard to special circumstances or interests in proportion to population, you raise a question which is Separatist in fact, and not Unionist. The Amendment of the hon. Member may very soon lose practical interest, but we are bound to consider it at the moment. The hon. Member who moved it is a Member of the Party the head of which at the present moment is engaged in fomenting a conspiracy of violence against the constitutional determination of the constitutional claim of Ireland, which we expect to get settled this year by the population of the country and ratified by Parliament and the Crown. And this is the moment selected by the Prime Minister's henchman to propose that the representation of Ireland in this House, which is to be used in making that claim, should be curtailed. If leaders of parties are to excite the population against a constitutional settlement, such a moment is not a fitting one for reducing the constitutional force Ireland may bring to bear on the settlement of the question. The *gravamen* of the charge of the hon. Member against the towns of Ireland is that only one returned a Liberal Unionist Member. I noticed that the hon. Member cited only those counties where the Unionist Party appeared to be prejudiced, but there are counties where the Nationalists are equally prejudiced. At

Mr. Sexton

any rate his reference to the internal anomalies which exist and must exist not only in Ireland, but in the United Kingdom, is entirely irrelevant to the Motion so far as it is directed against Ireland, because he did not attempt to make any reply to the crushing argument of the Mover of the Bill, who showed that in eighteen counties in England, which have the same population as Ireland, the representation is the same as that of Ireland, and therefore there are as striking anomalies in England as in Ireland. I do not think that in any other Legislature in the world, which has to deal with different races, different communities, and different countries, there could be found a man to do what the hon. Member for South Tyrone (Mr. T. W. Russell) has done to-day—to deliberately propose that the representation of the country by which he has been elected should be reduced. He founded his argument on population. You ought to be ashamed to mention it, and to pray to be relieved from any mention of it. The decrease of the population of Ireland under your rule is the most disgraceful and damning fact in your political history. But so long as the argument of population was on our side you said nothing about it; why do you turn to it when it is in your favour, though that may not be for long? When you passed the Act of Union Ireland had a population of five millions and England ten millions, though, if the argument of the hon. Member for South Tyrone is valid, we were entitled to 219 Members in this House. How many did we receive? We received one hundred. It is strange how indifferent you could be to arguments founded on population then. There was another settlement of the representation thirty-two years later, when on the same principle we were entitled to 243 Members; then we received 105. It is only within the last ten years that the argument of population has served your purpose. And how are you entitled to endeavour to come to a decisive conclusion on what may prove to be the transient circumstances of the present moment? It was only within the last ten years that you began to pass reform laws for Ireland. You reformed the land system

in Ireland. You have established there a land purchase scheme, the ultimate effect of which will be to make every farmer the owner of his holding, and the result of that will be a manifest and overpowering tendency to increase the population. I submit to you that if ten years ago you could derive no strength from this argument of population, ten years hence the argument of population may be used by the Irish Members in this House to prove beyond the possibility of a doubt that Ireland, instead of diminishing, is entitled to increase the number of her Members. Why has the population of Ireland decreased? It has decreased in consequence of your deliberate policy; and I say you cannot solve a question of this kind by the pure tests of arithmetic. You must remember the lessons of history; and you cannot shut your eyes or harden your hearts against moral duties. The population of Ireland fell because she lost her Parliament; the population of Ireland fell because you insisted upon ruling her from this House. Your repeal of the Corn Laws limited the means of living in Ireland, and drove the population away; your land system, which enabled the landlords to evict their tenants, drove the people from the shores of Ireland; your coercion has made Ireland a hateful place, even to people who love their land so much; and I say you are not entitled, having taken away the Parliament under which she thrived, and under which her population increased, to use your own wrong-doing, to avail yourselves of your usual policy, to make that condition of Ireland, which you have deliberately produced, a reason for robbing her of the means of protection in this House. I say Ireland is a distinct country; a country with separate interests. It is not merely a question of population. Does anyone say that Ireland would be fitly represented here if she had only the same representation in proportion to population as the City of London? ("Yes.") I should have thought that that would not commend itself to anyone who was disposed to give an impartial or intelligent consideration to the subject. The Members for London live at your very door. They are in constant and daily attendance in this House—as a matter

of routine. The Members for Ireland, in order to discharge their duties here, have to travel five hundred miles over land and sea. Their attendance here is different. I submit that Ireland, on account of her remoteness, is entitled to special representation; and I also say because of her separate religious creed and separate economic condition, and because of the fact that you are constantly obliged to pass special legislation for her, she is entitled to particular consideration as regards the number of her Members. From your point of view, she constantly needs coercion; from our point of view she constantly needs reform; so that Ireland constantly needs special legislation in this House. I submit that the fall in the population of Ireland is due to your evil policy, that in the future there may probably be an increase of population, and that in the moment of transition between the bad old system and the new system, which we hope to be better, you are not entitled to take advantage of the number of her population at the present moment in order to reduce the representation of Ireland. No; the true mode of dealing with Ireland, a mode dictated by political motives and a mode which is obviously just, is, not to take advantage of your own wrong-doing in the past, but to avail yourselves of a means by which you can get relief from all trouble with regard to that country, and that is, to restore to her the legislative power which your strength took away from her weakness by brute force and by shameful crime.

(4.15.) COLONEL WARING (Down, N.): I had not the slightest intention to intervene in this Debate a few minutes ago, but when the hon. Member for West Belfast, who has just sat down, gave such a direct challenge to Irish Members to get up and support the Amendment of the hon. Member for South Tyrone, I could not refuse to accept the challenge. The hon. Member for West Belfast has used the most extraordinary arguments in regard to the Motion before the House. He said the Leader of our Party is fomenting resistance to the law in Ireland. I have the utmost respect for the opinion of the Marquess of Salisbury; but does the hon. Gentleman believe that any remarks of Lord

Salisbury on the question would have the slightest effect either in inciting Ulstermen to action or in deterring them from taking what action they think fit? If he does think so, I must assure him that his connection with West Belfast, which has lasted for five years now, but which, I daresay, will not be very much longer prolonged, has not sufficiently educated him as to what Ulstermen are capable of and determined to do. He has used the very curious argument as to this being an inopportune moment to raise this question while that incitement was going on, and to propose to reduce the constitutional representation of that part of Her Majesty's dominion. Well, it appears to me that one of the very strongest arguments that could be used to justify the conduct of hon. Members is that, because that part of the United Kingdom has too great a preponderance in the constitutional representation of the country, those who object might take some other means for modifying it.

MR. SEXTON: What other means?

COLONEL WARING: If the hon. Member for West Belfast will consult *Hansard* he will find that when called upon to speak after the very magnificent speech of the right hon. Gentleman the Leader of the Opposition in proposing his Home Rule Bill in 1886, I then designated what means I considered they would be justified themselves in taking, and, if that legislation was passed, what means I thought would be necessary to protect the rights of Ulster. When that time arrives, I will state what those means should be. The hon. Member has said that that representation in this House should be maintained because it was always required by hon. Members opposite to carry out reform measures and was always required by us to carry out coercion measures. No coercion measures whatever would ever be necessary for Ireland, except for the coercion of the hon. Member and his friends. Coercion has only been applied by this House to meet coercion, on the homœopathic principle; and I am glad to say that the homœopathic principle has proved to be thoroughly effective. Why should the hon. Gentleman object to population being taken as the guide for representation? It appears to me that that is a good *Radical* theory and a good *Radical*

solution of the question which has so long been agitating this country. I confess if the franchise question is raised, I can see no satisfactory solution except by equal representation for every part of the United Kingdom, whether it be in Ulster, Leinster, Munster, Yorkshire, or the Metropolis. The reason why the hon. Member for West Belfast objects to the amendment is, not so much because it would reduce the representation of Ireland as that it would reduce the proportion represented by the party of which he is so distinguished a Member. ("No!") Yes; why should he object to that? The average number of the constituents represented by Unionists in counties in Ireland is 9,056; the average number of the constituents represented by Nationalists in counties in Ireland is 7,178. In boroughs the average number represented by Unionists is 8,779; and the average number represented by Nationalists is 4,413; the average represented by Unionists on the whole of Ireland being 9,004, and the average represented by Nationalists being 6,755. I have no intention of occupying the time of the House. I should not have spoken at all if I had not been directly challenged as an Irish Member to speak on this question affecting Ireland, and I am very glad indeed that I came into the House in time to reply to the challenge.

\*(4.18.) MR. PARKER SMITH (Lanark, Partick): I must say I think it is a very extraordinary view of the Irish franchise which has been taken by the hon. Member for West Belfast. He has spoken as if it were the absolute possession of the Nationalists; and from what he has said as regards my hon. Friend the Member for South Tyrone, one would think he had gone to Ireland for a visit and stolen the spoons. I can understand the franchise sixty years ago being considered the possession of a man who had the nomination of a borough in his power, but it seems to me that that notion is wholly and completely opposed to our modern democratic ideas of the franchise. The hon. Member has said that, to seek to equalise the proportion of Members for Ireland to that of this country, is treating Ireland unfairly. It is doing nothing of the kind; it is treating Ireland as an integral part, as it is, of this

*Colonel Waring*



country. It may be worked out thus—ten thousand men in Ireland should have the same right of representation as ten thousand men in England or Scotland. I do not feel it my business to defend the Leader of my Party, or of any other Party, for what he has been saying in regard to Ulster and its proposed action. This I can only say, that it has not been a matter of endeavour to incite, but only of pointing out what is the probable state of facts to which a certain policy which is before the country is likely to lead, and putting that state of facts before the consideration of the constituencies in this country and elsewhere. You cannot create a rebellion by speaking from the outside. Mr. Burke said long ago, dealing with the American question—"Rebellions are never encouraged; they are provoked." It is not the words of any man on this side of the water that could by any possibility create rebellion in Ireland. It would be the action of the Parliament established in Ireland—that would be the only possible cause of creating such a rebellion. Then the hon. Member spoke of the Irish counties, and said the cases that had been taken were individual particular cases which happened to stand in favour of the Unionists and against the Nationalists. But there is no need to take individual cases, because, according to the figures given by my hon. Friend, and those which were given by the other side, the average in the number of electors all round in each of the Unionist constituencies is startlingly larger than in the Nationalist ones.

MR. SEXTON: The population?

\*MR. PARKER SMITH: The population and the electorate come exactly to the same thing. I assert, until the contrary is proved by some hon. Gentleman, that it comes exactly to the same thing whether you go on the footing of population or electorate. It is more convenient to take the electorate, these being the figures given in the last Return. Then the hon. Gentleman spoke of the decrease of the population in Ireland, and he argued that that was the consequence of the Act of Union, as I understand, in the first place, and of the bad government of this country in the second. But from the time of the Union onwards

the population of Ireland increased, as it had never increased before. Between the passing of the Act of Union and the famine it had just more than doubled. At the time of the passing of the Act of Union the population of Ireland was four millions; and at the time of the famine it was eight and a half millions. It is perfectly true that at the time of the Union the number of Members that were given to Ireland did not correspond with the numerical proportion of the inhabitants of Ireland to the inhabitants of this country; but at that time the numerical argument had been in no way accepted. What was sought then was not symmetry or numerical equality, but that each country should have a fair share of representation. It was on that footing that we went, not only at the time of the Union, but in 1832, in distributing Members through the country. I cannot, therefore, see that the fact that, according to this modern principle, Ireland did not get full justice in the past is any reason at all that in the future Ireland should get a great deal more than justice. It may be perfectly true that it is only within the last few years that this argument has told against Ireland; but it tells against Ireland now, and if this question is forced upon us now—and it is not with the desire of the hon. Gentleman who has proposed the Amendment, or the other Members who will vote for it, that it should be—Ireland must take its chance. The hon. Member used an argument which was used by the right hon. Gentleman the Member for Midlothian in 1885, and which, of course, has considerable force—that Members representing the extremities of the country ought to be greater in numbers than the Members representing the centre. No doubt there is something in this, but it seems to me to be over-ridden by the larger general principle of equality in our electoral distribution. And you have to remember this: that the power of gentlemen sympathising with the hon. Member for West Belfast is not by any means limited to the number of Members who are returned for Ireland. There is an Irish vote in constituencies on this side of the water, and I think that Irishmen can feel that they have a very large share of influence in the conduct of a great many Mem-

bers who sit on these Benches, though they may not happen to be returned for Irish constituencies. But to turn to another subject. We had a very eloquent and a very large speech from the right hon. Baronet the Member for Bridgeton (Sir G. Trevelyan). The arguments were in favour of Universal Suffrage—not for Manhood Suffrage only, but for Womanhood Suffrage also—equal electoral districts, and the residential vote—a complete change in our system, and then, after the mountain has laboured in this way, we have a mouse brought forward in the shape of this Bill for abolishing plural voting. In the course of his speech, while he was bringing forward these arguments, he was objecting to the Amendment of my hon. Friend as not being relevant. It seems to me he stated, in the clearest words as the fundamental basis of his argument, that it is right that a man should have one vote, and one vote only, for the great Council of the nation, and it is surely part of that that these votes should be of equal value. It is quite illusory, if you attempt to give every man a single vote, and in one case he is to have the two-thousandth share in returning a Member of Parliament, while in another case he is only to have the sixteen-thousandth or the eighteen-thousandth share. The one man gets eight times as much as the other does in such a case. The right hon. Gentleman deprecated the larger discussion, and said that this scheme which he was proposing was complete. Out of his own mouth and out of his own speech you can see that it is fundamentally incomplete. I do not mean only because it does not touch these larger questions which were the groundwork of his whole argument, but for this reason. His great attack, through half his speech at least, was upon the non-resident vote. He was arguing that no man was entitled to have a vote unless he resided in the constituency, and this Bill does not touch that question at all. It leaves the non-resident voter in just the same position as at present. It leaves just exactly the same possibility of flooding a constituency—of jerrymandering and of concentrating votes upon a particular constituency—that exists at present. In order to carry out what the right hon. Gentleman desires, you must insist

upon a simple residential franchise, which is something totally different to this. Another great point that the right hon. Gentleman made was that you must abolish the freehold franchise in boroughs; that you must put things on the same footing as in Scotland, where a freehold in a burgh does not give a vote in the county. These are two essential parts of the right hon. Gentleman's argument, but they are not in any way touched by the Bill before the House. He criticised the Return giving the number of non-resident votes on account of culpable negligence. That Return does seem to me rather careless, but there are great many points that you have to consider on the other side. For example, in the case of Plymouth the number of occupation voters who are resident is given as 854, and the number of occupation voters who are not resident is given as 9,690. That seems to me a rather startling statement, and probably means a mistake of something like ten thousand votes in favour of the right hon. Gentleman, and which, I think, will go far to cancel a good many of the smaller errors and discrepancies which he found in the matter. Then, to give another instance of the smallness of the question, the right hon. Gentleman the Member for Bradford quoted the case of Lancashire, and gave some figures as to the amount of plural voting in Lancashire. In the County Divisions of Lancashire of which he was speaking the number of county votes on the register is a quarter of a million, and the whole number of non-resident voters is 3,344. That is to say, the whole question means just about one-and-a-third per cent. of the whole electorate. The right hon. Gentleman and several Members have said this question is not political. I should like to know very much why hon. Gentlemen are so ardent in the matter if it is not political. For myself, I believe it cuts to a great extent both ways, but I cannot imagine any reason for right hon. Gentlemen pitching upon this particular small point among a whole set of anomalies with which our franchise is beset, unless they consider that it is of some definite political importance to themselves. We have not always

*Mr. Parker Smith*

found them so ardent in correcting anomalies. We had the other day the question of the illiterate vote. When the question came up we did not find these Gentlemen coming forward and making the case which was so convincingly made from the other side of the House against that anomaly. They did, it is true, not come to defend that anomaly, but were content to leave that Bench empty for the occupation of an hon. Gentleman who usually sits on the opposite Bench. Another point raised by the right hon. Gentleman the Member for Bradford, as explaining why action was not earlier taken in the matter, was that it was not important in the past. The matter was infinitely more important in the past, in the days when the franchise was more restricted than it is at present, for an obvious reason. The matter was in the minds of everyone on account of the abuses that had taken place in Scotland in this respect in the old unreformed days. Before 1832 the number of voters in Scotland in the counties was most absurdly small. The qualifications were purely nominal. They were absolutely faggot votes for the most part. Writers and advocates from Edinburgh poured down on the counties, and formed a majority which carried the elections and prevented the expression of the true opinion of the people. Before 1832 the opinion of the people of Scotland was not heard at all, on account of the abuse of the plural vote; but reformers have put an end to this state of things, not by cutting off the plural vote, but by preventing faggot votes, and by increasing the number of voters, so as to make plural voting comparatively unimportant. The question has been argued mainly as between England, Ireland, Scotland and Wales, and, of course, it may be said, in reply to that, that the treatment is partial. So it is, but that argument does not seem to me to come with any good grace from hon. Gentlemen who are supporting a Bill that touches so small a part of the fringe of the whole subject. We are prepared to fully accept the principle of equalisation, but the question must be dealt with as a whole. We cannot agree to the suggestion of hon. Gentlemen to only touch a particular anomaly which may be against their interests as

a Party, such as plural voting and University representation. These are anomalies in our present system, survivals of a former state of things, when what was sought was not universal equality, but the proper representation of the nation. The ideal of Burke was to make the House of Commons the true and express image of the nation, and there are two entirely distinct ways in which you can do that—either by giving a vote to every man in the nation, or by taking samples and giving only these the vote. The latter was the principle of the old system of representation, but it is gone now, and we do not seek in any way to maintain it. We accept the full principle of democracy, of equality in the country of the power given to every voter; and what we insist upon is that this principle shall be carried through consistently, that it shall not stop short by touching merely one point, and thus we shall produce a Parliament that is the true representation and the express image of the nation.

\*(4.45.) MR. WEBB (Waterford, W.): I should not have intervened in this Debate but for the Amendment of the hon. Member for South Tyrone. The main question has been thoroughly thrashed out, and upon it I will only say that the way in which we deal with it depends very much upon whether it is thought that a vote should represent property or manhood. We think that it is very much more important that manhood should be represented than property. From my point of view, the wealthy man requires a vote less than the poor man, the educated man less than the uneducated, for the wealthy and the educated have opportunities of expressing their views and of exercising their influence which the poor and uneducated have not. Therefore perfect fairness, in my opinion, would require that the poor should have more votes than the rich. Then we have the objection that this reform should not be given unless some other reform is added to it. That is always the argument of those who do not desire reform, and who have not the manliness to say so. I know people in Ireland who on the same principle say, "We do not like Home Rule, but we are quite prepared for separation." The hon. Member for

Tyrone dwelt very much upon the numbers of voters in Ireland, but I contend that representation should be based upon population rather than upon the number of voters, for the latter varies from time to time, and if representation be based upon that we shall always be altering the Divisions of the country. Now, if we take the counties of Ireland and include the towns in their respective counties, I find that Ulster is not so badly off after all. The county which is worst off is Dublin, with one Representative to every 70,000 of the population. Wexford is also badly off, having one Member to 56,000; Clare has one to every 62,000; whereas Antrim, Down, and Belfast together have a Representative for every 55,000 of the population. As to the proportion of the representation for England and Ireland, I wish to join my voice with that of the hon. Member for West Belfast (Mr. Sexton) in his surmise that in no other country in the world could we find, as we have found here to-day, Representatives who would desire that her strength should be diminished and her representation decreased; and if anything would impel me to desire reform for Ireland it is the knowledge that such a feeling exists in the heart of any of her Representatives. I think that the House should remember that Catholic Ireland during the early part of this century was altogether under-represented, and that if there has been depopulation it has been from misgovernment as well as from natural causes. I would like to point out that during the early part of the century Ireland was under-represented, and it is extraordinary that a change, should now be desired that has not been asked for before.

MR. T. W. RUSSELL: The hon. Gentleman and others have spoken as if those who supported the Amendment desired some change. Now, I have distinctly stated that I was content to go on with the machine as it is; but if there is to be a change it should be a perfect and a thorough change.

\*MR. WEBB: I leave it to the House to decide between us. I say that we are at present under a disadvantage with regard to the representation of Ireland, and that it would be very un-

fair indeed to reduce it. If anything we should have a larger proportion of representation than we now have.

\*(4.52.) THE CHANCELLOR OF THE EXCHEQUER (Mr. GOSCHEN, St. George's, Hanover Square): I must say that I think the attack made upon my hon. Friend the Member for South Tyrone is uncalled for. I have several times heard, in the course of this Debate, that the desire of those who support the Amendment of the hon. Gentleman is to diminish the representation of Ireland. I quite understood my hon. Friend in the direction in which he has corrected the hon. Member who has just sat down—namely, that he does not at present propose to reduce the representation of the people of Ireland, but that he says, if a fresh distribution of electoral power is to take place, that change would naturally form a portion of any general scheme of the kind. I have been at a loss to understand the difficulty which some hon. Members opposite feel as to the relevance of the Amendment to the question of the Second Reading of the Bill. One Member after another has practically said that he saw no connection between the two; yet, nevertheless, in their speeches they continue to use the phrase “equal electoral voice.” I cannot see how we can have an equal electoral voice unless we have one vote one value, as well as “One Man One Vote.” We do not raise the question that there should be “One Man One Value,” or that there should be “One Man One Vote,” but we say we are not prepared to accept the one without consideration of the other. There is a clear connection between the two. On what ground does the right hon. Gentleman the Member for Bradford propose this Bill? On the ground of the removal of electoral anomalies. We say that if you are going to enter again upon an examination of the machinery of legislation, instead of the question as to how the existing machine is to be used, we must have a thorough examination of the machinery and see whether, in other respects, anomalies require to be corrected beside the particular anomalies to which the right hon. Gentleman has called attention. The right hon.

*Mr. Webb*



Gentleman does not do what he professes to do. His whole point is that every man should have an equal voice in the election of a Member of Parliament. I would point out that he will leave anomalies even by the Bill he has himself proposed. This Bill says that no person is to vote in one year in more than one constituency, and then the right hon. Gentleman thinks he is applying a complete cure. The House will see that the anomaly will remain that at bye-elections everyone will be entitled to vote according to his different qualifications. A person with several qualifications—one, say, for Cambridge University, one for the City of London, one for the county, and one for some other borough, may, if an election takes place at Cambridge one year, an election in the City the next year, and so on, vote in each case, retaining the same political power as he has now, after the introduction of this Bill. Is it not an increase of political power to give a person the liberty of selecting the borough for which he shall vote? It is said that we are to check jerry-mandering by this Bill, but I submit that jerry-mandering will receive a stimulus under it. An examination will be made where plural votes will be most effective, and in many cases elaborate electoral precautions will be taken to keep the votes of plural voters not where they reside, but where they happen to be most wanted for political purposes. It therefore seems to me that the Bill does not settle the question in the direction even in which the right hon. Gentleman desires to settle it, for if we pass it we should have precisely the same difficulties again; but it simply involves a tinkering with the Constitution in order to remove a particular anomaly. The right hon. Gentleman does not touch the freehold franchise. He endeavours to deprive the freeholders of the power of voting, but he does not strike directly at any franchise. He seeks to undermine them by an indirect process: but his clients will not be content with this—they will attempt to carry the matter further. They will say, "We have not yet got what you told us we were to have—namely, one man one vote." The spirit of the right hon. Gentleman's Bill seems to me to show

that he thinks infinitely more of the individual than of the community. What is the meaning of the Amendment in its broadest form? It is that, if anomalies are to be corrected, communities would have equal power. We are departing from the old spirit of the Constitution when we look simply to the individual and not to the community. "One Man One Vote" must mean manhood suffrage; but it should not be put simply on these little anomalies. It would be more honest to tell us that this is a step towards manhood suffrage, and that every man should have an equal vote—not simply that we should abolish this particular form of plural vote. This is really an instalment of manhood suffrage, but we are not called upon to decide that question at the present time. The cheers with which the mention of manhood suffrage was received show that we are wanted to shift the basis of our Constitution from the community, and to rest it upon the representation of the individual alone. Then surely we must come to equal electoral districts, and equality of electoral districts implies equal power to every individual.

THE FIRST LORD OF THE TREASURY (MR. A. J. BALFOUR, Manchester, E.): To every male individual.

\*MR. GOSCHEN: My right hon. Friend says "every male individual." That is a point I will not now discuss. The Party opposite hold to equal power for every individual. Manhood suffrage leads clearly to this result, which must apply to Irish Members. Did I hear a cheer from an Irish Member as to that statement?

MR. MAC NEILL (Donegal, S.): The right hon. Gentleman must refer to me; but I will only say that I have been listening to him with attention, and that I did not open my lips.

\*MR. GOSCHEN: Am I to understand that the hon. Member approves of my statement?

MR. MAC NEILL: The right hon. Gentleman must not catechise me.

\*MR. GOSCHEN: I have not the audacity to catechise the hon. Member, but I venture to say that there must be a redistribution of the Irish representation if the "One Man One Vote" principle is adopted. Therefore, let us all be perfectly frank. The democratic idea of equal electoral power means disfran-

chisement in Ireland. The hon. Member for West Belfast has said that while he thought this was a most inconvenient time for raising the question, it might have less importance in the future. I wondered what that meant. Does it mean that if Home Rule is passed, this subject will have less importance to Irish Members, because they will not sit in subsequent Parliaments; or, if they do sit here, that it will be with a largely reduced representation? If there is any point in his remarks, one of these two alternatives must be present in his mind. Now, before I sit down I should like to say a few words about the Bill of the right hon. Gentleman the Member for Bradford as it stands, quite irrespective of the Amendment. I am opposed to the Bill because it ignores the representation of the community and deals simply with the individual. The whole attention of hon. Members opposite is always centred upon this question—has a particular man an equal right with another particular man? But is a particular man not to vote in a particular community because he happens to be interested in another community? In this way a prominent political personage might be deprived of his right to vote in a particular community, because his vote might be wanted for political purposes in another part of the country. I say that does not commend itself to my judgment. Hon. Members opposite must not make this a question as between the rich and the poor—an issue they generally attempt to raise when it is most convenient to them to do so. I contend that an individual should not be deprived of the right to vote in a particular community. Then, again, I would point out to the House that this would mean the disfranchisement of the Universities. I am anxious to put the dots on the i's, and to show what it is that we are asked to vote for. It amounts to this—that the representation of the Universities could not survive if this Bill were passed, and that would mean the disfranchisement of a large number of people. You do not think the number is large; but whether it be large or small, it is clear that University representation must go with such a Bill as *this*. Well, then, I shall vote

*Mr. Goschen*

against the Bill on the ground that it indirectly disfranchises those institutions, whose representation I think valuable to the country. But does not this question open up matters broader than the particular one before us? If we have to deal with the redistribution of seats we shall also have to deal with the broader question before us—the question of general representation. Many instances have been put before the House of grievances in order to show how a particular man—or rather, I should say, how the feelings of particular men—were injured. One hon. Member explained not long ago that you do not get an equal value under the present system; but you say one man is to have one-three-thousandth part, while another is only to have one-ten-thousandth part in the power of election according to the constituency he belongs to. The case of Wandsworth was, I think, quoted, where there is only one Member for the Division, while three Members represent English boroughs whose total electorate is not equal to that of Wandsworth. In Ireland there are six borough Members who together represent a number equal only to that of Wandsworth. That does not at all strike hon. Members opposite as an anomaly, or, if it is an anomaly, they do not propose to correct it. As regards the constitutional qualification for the vote, I do not think that ought to be disturbed in the manner which is suggested by the right hon. Gentleman the Member for Bradford. He quoted some passages from the right hon. Gentleman the Member for Midlothian (Mr. W. E. Gladstone) against the dual vote, and he thought the same applied to the plural vote; but the dual vote was to be given on the ground of wealth, on the ground of superior property, and you were to allow one man in one constituency to have a larger political power than another man in the same constituency. I venture to think that is a totally different matter to this—that a man should only be allowed to vote in one constituency, although he may have votes in other parts of the country. I oppose, and the Government oppose, the Bill of the right hon. Gentleman on its merits. I have shown how incomplete, how unfair, is a measure which does not

redress other anomalies while redressing one particular anomaly which may interest hon. Members opposite. The hon. Member for West Belfast (Mr. Sexton) spoke with reference to the diminished population of Ireland, and he asked why we had not proposed to increase the representation of Ireland in proportion to population at an earlier date of her political history. It has already been pointed out by the hon. Member for Oldham (Mr. Maclean) that Lord Castlereagh did not take the test of the population only, but took the test of population and of wealth. I do not think hon. Members would desire—no one would desire—that such a test should now be offered to Ireland. They are far better off with only the test of population than with the test of population and property together.

MR. SEXTON: That was not the test of the Union. If property had been the test of the Union, we should have had 170 Members.

\*MR. GOSCHEN: I think the hon. Member did not hear the historical part of the speech of the hon. Member for Oldham. The hon. Gentleman said that by population Ireland would have had 200 Members.

MR. SEXTON: By population I think 219.

\*MR. GOSCHEN: I think the hon. Member is mistaken upon that point. The test was taken at that time when wealth did enter into the consideration, and I think hon. Members from Ireland are better off with population only than under the old system of the Union. Then the hon. Gentleman held this country responsible for the diminution of population. I will frankly admit that this country has, in its dealings with Ireland in the past, not always acted with justice or with magnanimity. I make that confession freely. But to hold that this country is responsible for the diminution of the population of Ireland, as suggested by the hon. Member, is contrary to historical fact, and, more than that, the *onus probandi* will be entirely upon the hon. Gentleman. Are there not many parts of the agricultural portions of Great Britain where the population has fallen, since the Union, almost in the same proportion as in Ireland? Economic causes have been at work in the agricultural parts of England as they have

been at work in the agricultural parts of Ireland; and it is really distorting history to say this country is responsible for the diminution. The hon. Gentleman says, "Let us hold our hand now, because the population in Ireland, after the reforms and beneficial legislation of the last ten years, may again establish the old proportions." I trust the population of Ireland will so increase, and I accept the compliment which the hon. Gentleman has paid to the legislation of the last seven years, which proves that this Parliament has been able to pass measures by which, on his own showing, we may expect the population of Ireland once more to prosper and increase. But even if the sanguine dream of the hon. Gentleman and his friends were realised, and our beneficent legislation were crowned, as they would call it, by the grant of Home Rule to Ireland, they cannot think that the growth of population in Ireland would exceed that constant growth of population in England, Scotland, and Wales, which has characterised the last half of this century. I do not think the hon. Gentleman can argue to this House that on account of the probability of growth of population in Ireland we should, therefore, hold our hand. Before I sit down I should like to tell hon. Members from Ireland that I do not consider this Amendment to be directed against Ireland, or against Wales, or against any portion of the United Kingdom. We do not raise the point from these Benches, but the demand has come that there is to be equal electoral power distributed under a new system, and in new proportions, and that demand comes from hon. Members opposite. As it has been raised, we say that the consideration ought to apply to all parts of the United Kingdom. If you pass "One Man One Vote," you must have a general Redistribution Bill for the whole of the United Kingdom. You cannot deal generally with all these questions at the present time. I hope I have conclusively proved this—that the Bill of the right hon. Gentleman necessitates a redistribution of seats. Are we to have a redistribution of seats? Is it part of the Newcastle Programme that there is to be a redistribution of

seats as well as the introduction of the principle of "One Man One Vote"? If so, we have not heard of it. The policy of the right hon. Gentleman would seem to be to attempt to pass this one measure and then to leave the necessary redistribution probably to a subsequent Parliament, and meanwhile all these anomalies which exist at present would be intensified and increased by the Bill of the right hon. Gentleman. By the Bill great bodies of men would be disfranchised; it would be an act of injustice not alone to individuals, but also to the community, and it would establish a principle from which I hope we are still somewhat removed—namely, that it is not to the general interest of the community, but simply to the individual claimants of the vote, that we ought to look when we consider the reconstitution of the general institutions of the country.

(5.25.) SIR W. HARCOURT (Derby): The five minutes which the right hon. Gentleman has left me are sufficient for me to say all I have to say in reply. I have sat in the House a good many years, and more often than not on the same side as the right hon. Gentleman, and year after year I have heard him make the same speech against every proposal for electoral reform. He is always full of terrors, full of alarmism; always has it been with him a measure which must ultimately end in manhood suffrage; always has it been the disfranchisement of the Universities or some other bogey filling the mind of the right hon. Gentleman which for years has induced him to be the sturdy opponent of household suffrage. It is remarkable that against this proposal for the remedy of a great electoral injustice, the main spokesmen should be the right hon. Gentleman, the enemy of all electoral reform, and the hon. Member for South Tyrone (Mr. T. W. Russell), the enemy of electoral rights in Ireland. I shall not be prevented by fear of manhood suffrage or fear of what may happen to the Universities from giving a cordial vote in favour of this Bill. There has been an endeavour to mix up with this other questions with which it has nothing whatever to do. I know that, in your opinion, the Irish question has to do with everything. It is that question

*Mr. Geschen*

which poisons every demand for justice to every other part of the United Kingdom. Hon. Gentlemen opposite can regard no other question, except in the light of how it will affect that policy towards Ireland of which the hon. Member for South Tyrone is the principal spokesman. I think it is quite enough that the opposition to this proposal should be led by the right hon. Gentleman on that side and the hon. Member for South Tyrone on this side of the House. Through all the subtleties of the right hon. Gentleman the people of this country will see very clearly. Members for county constituencies know perfectly well, and their constituents know, what is the effect of bringing in a number of outsiders. They will not be deceived by such speeches as that we have just heard from the Chancellor of the Exchequer, and will not be induced to abstain from doing an act of justice to the people of England unless it is accompanied by an act of gross injustice to the people of Ireland.

Mr. DE LISLE (Leicestershire, Mid) rose to speak.

(5.29.) Mr. SHAW LEFEVRE rose in his place, and claimed to move, "That the Question be now put."

Question, "That the Question be now put," put, and agreed to.

Question put accordingly, "That the words proposed to be left out stand part of the Question."

(5.30.) The House divided:—Ayes 196; Noes 243.—(Div. List, No. 133.)

Words added.

Main Question, as amended, put.

(5.45.) The House divided:—Ayes 237; Noes 189.—(Div. List, No. 134.)

Resolved, That it would not be just or expedient to carry out the principle of "One Man One Vote" embodied in this Bill, unless the number of representatives allotted to England, Wales, Scotland, and Ireland respectively were previously settled in proportion to the population of each of those parts of the United Kingdom, and the principle of equality in voting thus secured.

It being Six of the clock, Mr. Speaker adjourned the House without Question put.

House adjourned at Six o'clock.



## HOUSE OF LORDS,

*Thursday, 19th May, 1892.*PUBLIC AUTHORITIES PROTECTION  
BILL [H.L.]  
COMMITTEE.

## Clause 1.

THE EARL OF DUDLEY: My Lords, it has already been pointed out to your Lordships by the noble and learned Lord on the Woolsack, on the occasion of the Second Reading of the Bill now before this House, that this measure by no means aims at altering or reforming the existing law, but is simply put forward to consolidate and to simplify numerous provisions in previous Acts of Parliament. It seems to me that Sub-section (b) of Clause 1 of this Bill would considerably affect the law as to venue of action as it at present stands; for instance, in cases affecting the Inland Revenue Department and the Treasury considerable inconvenience might be caused to their staff of officers in London, by creating difficulty through having actions, which might be brought against those Departments in different parts of the country, tried, as heretofore, in the Queen's Bench. It was therefore for this reason suggested that Sub-section (b) should be left out of the Bill. On further consideration, however, it seems that this Amendment is perhaps of too sweeping a character, and as, after communication with the noble and learned Lord on the Woolsack, I understand that he intends at the next stage of this Bill to introduce words, which will be so framed as to effect the object to which I have referred, without unnecessarily disturbing existing arrangements, I now beg leave to withdraw the Amendment which stands on the Notice Paper in my name.

\*THE LORD CHANCELLOR: I think I must explain to the noble Earl that the nature of the Amendment which I have proposed is certainly not of the sweeping character of that which he has given notice of. It is quite true that I received from the Inland Revenue Department an intimation that they were rather desirous of standing out-

side the Bill altogether. To that I was certainly not prepared to agree; but I am not at all certain that the local venues which I had proposed to consolidate are not to some extent an anachronism. The existence of local venues generally has been very seriously invaded by the Judicature Acts and the Rules made under them. The plaintiff, until those Rules were made, had the right to put his action where he pleased. But under the operation of the Judicature Acts that is subject to the right of the Judge to alter the venue on good ground shown. The only thing I think that the Inland Revenue Department are desirous of obtaining would be obtained by making the clause stand subject to the Rules of Court. I believe that if on sufficient ground the Inland Revenue Department can make out a necessity for their being placed on any other footing, a Rule could be made to that effect. I should hesitate to alter the general law in the direction that the noble Earl seems to suggest; it would seem to be an unreasonable thing to alter the practice as it is, without any alteration of the law, leaving the plaintiff to do what he likes in that respect. The defendant never under our system had the right to select his own venue,—the plaintiff always had; and the power is still reserved to the Court to enable the Judge, for sufficient cause shown, to alter the venue, either upon the ground that prejudice exists in the neighbourhood where the venue was to be, or on one of those grounds that are familiar to lawyers, such as that the witnesses would have to come from a certain locality and that great expense would be incurred in trying the matter elsewhere than in the neighbourhood in which the facts occurred and where the witnesses live. Lately the matter has been debated in a somewhat different spirit; but for some reason or other the framers of the Judicature thought it right to give the plaintiff a right to state no venue at all, but that in such cases the venue should be intended to be in the County of Middlesex. I confess I think it was unfortunate, and I hope that that may be altered. I think the venue ought to be expressly stated, and presumably ought to be where the case can be most speedily and cheaply tried. But

in regard to the matter we are now discussing, I think if it were placed under the Rules of Court, every protection that the Inland Revenue Department could require would be given, and that it would not be so inconsistent with the whole course of our legislation as it would be if the sub-section were left out. I understand that the noble Earl withdraws his Amendment.

**THE EARL OF DUDLEY:** Yes.

**THE LORD CHANCELLOR:** I have now to propose an Amendment which I brought forward in the Standing Committee where it received the countenance of my noble and learned Friend (Lord Herschell) which I commend to your Lordships: that where a person representing a Public Authority is in the exercise of his duty to the public subjected to an action, and is unjustly and improperly sued and recovers a verdict in consequence, he should be entitled, according to the old practice, to an indemnity against the costs which he is thus improperly put to.

Moved, in Clause 1, page 1, after line 20, insert a new provision—

“Wherever in such action a verdict and judgment shall be obtained by the defendant, he shall be entitled to costs to be taxed as between solicitor and client.”

Amendment agreed to.

Bill reported with Amendments; and to be read 2<sup>a</sup> To-morrow.

#### **ELEMENTARY EDUCATION (BLIND AND DEAF) BILL [H.L.]**

##### **SECOND READING.**

Order of the Day for the Second Reading, read.

**THE LORD PRESIDENT OF THE COUNCIL (Viscount CRANBROOK):** My Lords it is not necessary for me to make any statement with respect to this Bill, which for two years has been passed by your Lordships; no change is made in it of any importance, and therefore I merely move that it be read a second time.

Moved, “That the Bill be now read 2<sup>a</sup>.”—(*The Viscount Cranbrook.*)

Motion agreed to; Bill read 2<sup>a</sup> accordingly, and committed to a Committee of the Whole House on Monday the 13th of June next.

*The Lord Chancellor*

#### **SUNDERLAND'S CHARITY BILL.**

Bill read 3<sup>a</sup> according to Order, and passed, and returned to the Commons.

#### **COMPANIES (CERTIFICATE OF INCORPORATION) BILL [H.L.]**

##### **SECOND READING.**

Order of the Day for the Second Reading, read.

**LORD HERSCHELL:** My Lords, your Lordships are no doubt aware that under the Companies Act, in order to the constitution of a Company, it is necessary that there should be a Memorandum of Association signed by seven persons, and that certain other requisites of the Act should be complied with. When once a Company has been registered, and so formed, it becomes a corporation, and the rights and liabilities of the members of that corporation are determined by Act of Parliament; and, in case the Company is unable to pay its debts, there are provisions for the winding up of the Company, and of the settlement of the rights of creditors and the members of the Company. In two cases which have occurred in your Lordships' House, learned Lords have pointed out the serious consequences which would follow if a Company, which appeared to have been regularly formed, and in respect of which a certificate of registration had been given by the Registrar of Joint Stock Companies, should afterwards be held not to have been validly formed: so that those who supposed that they were members of the Company were not really members of a Company, and those who believed that their rights would be regulated under the Companies Act found that this was not the case. My Lords there is a general provision in the Companies Act that the certificate of registration shall be conclusive evidence that the requisites of registration have been complied with. But it has been recently held that that does not cover the determination of the question whether, for example, the seven persons have in fact signed a memorandum; and, if seven persons have not signed the Memorandum, even although the Registrar should have given his certificate that the Company has been duly regis-

tered, no Company would exist, the provision of the Companies Act would not apply, and it would scarcely be possible to determine, at all events without much litigation, what would be the rights either of creditors or of members of the Company. That is a very serious matter, which has been called to the attention of the Incorporated Law Society, and also of several Chambers of Commerce; and it is at the instance of the Incorporated Law Society, supported by those Chambers of Commerce, that I bring this Bill to your Lordships' attention, the effect of which is to make the certificate of the Registrar of Joint Stock Companies conclusive, when the certificate is given, that a Company has been formed. But, in order that there may be security that the requisites of the Act have been complied with, power is given to the Lord Chancellor, with the concurrence of the Board of Trade, to make rules as to what the Registrar is to be entitled to request in the way of information and otherwise, in order to satisfy him, before he gives his certificate, that these requisites have been complied with. When once he is satisfied, in accordance with those rules and gives the certificate, I think your Lordships will feel that the certificate ought to be conclusive, and if it is not made so, great inconveniences and a good deal of injustice are likely to result. That is the object of the Bill, and I hope your Lordships will see no difficulty in reading it a second time.

Moved, "That the Bill be now read 2<sup>d</sup>."—(*The Lord Herschell.*)

\*THE LORD CHANCELLOR: My Lords, I do not rise for the purpose of opposing this Bill; but I am bound to say that I think my noble and learned Friend has hardly exhibited to your Lordships the whole importance of the Bill that he proposes. The Bill certainly does not appear to me sufficiently to fortify the provisions which he invites your Lordships to adopt. The hypothesis is (I take one by way of illustration, out of several) that there must be seven persons signing the Memorandum of Association in order to form a company. It has been held in the Courts lately that where there

are only six persons, we will say, really signing the Memorandum of Association, no company has ever existed at all. Those six persons may or may not be liable in some form, but there was no company, and some of the evils that my noble and learned Friend alleges might arise. But in the Bill I only find power to make Rules to give security that sufficient evidence should be placed before the Registrar before he gives his certificate. I confess I think that is a very inadequate provision. It seems to me that there ought to be some provision, fortified by the Penal Law, for dealing with the fraud which, by that hypothesis, has been practised upon a public officer. I should make it a felony for persons to pretend to have associated in a body of seven, which the Act of Parliament requires at present, and to induce the public officer to give a certificate which was founded on that mis-statement. It is not a very unusual or extraordinary thing to fortify the provisions of an Act of Parliament by such a penal clause. As your Lordships are aware, certificates of births, marriages, and deaths are given by a person whose duty it is to register them, and, if any individual makes a false statement to induce such a certificate to be given, that person is guilty of felony; and in that way I suppose people have been deterred from making such false statements, except under such temptations as induce persons to run the risk of incurring the penalties of felony. Here there is no such provision. And I regard with some apprehension the fact that for all purposes a certificate given by this public officer should for all time make a company. There is no analogy between this case and the case of a Charter obtained from the Crown by false representation. In that case there is a familiar mode of cancelling the Charter by *Scire Facias*. I do not find in my noble and learned Friend's Bill any power to put an end to a company, when once created, even if created by fraud. And it seems to me that there are many provisions that ought to be inserted in this Bill, if we are to pass such a provision as the noble and learned Lord suggests, which is of a very drastic character—namely, that a certificate however

obtained, on whatever false and fraudulent representations, should for all purposes and all time make a company. I do not say that such difficulties may not be met. I do not propose to move your Lordships not to read the Bill a second time; but there are a great many contingencies which it seems to me it is necessary to provide for before I shall be content with this Bill. I only say that with regard to what may hereafter be said and done in the Standing Committee. At the present time I only intimate that, in my view, there is nothing like sufficient provision against the evils by introducing this mere provision that the Registrar shall be fortified by such evidence as the Lord Chancellor and the Board of Trade may think it right to provide. Having so far delivered my soul, I will only say further that I will in the Standing Committee, if the Bill gets there, and if the noble and learned Lord does not himself propose to do so, propose such Amendments as will, in my view, carry out the objects which I put before your Lordships.

LORD HERSCHELL: My Lords, I shall have no objection to any provisions which will prevent the dangers that my noble and learned Friend points to. I would only say that I do not myself think those dangers are very serious. The Companies Act has been in existence a long time now, and I do not think that there is any evidence of a tendency on the part of people to deceive the Registrar of Joint Stock Companies into registering a company when no company has really been formed. That could have been done at any time almost during the period since the Companies Act was passed. I would also point out that certainly, to judge from the language used by a noble and learned Lord in delivering judgment in this House in a company case, he apparently was under the impression that the effect of the Companies Act was to do that which I propose to do now; because, after pointing out the effect that would follow if it were held that there were no company, dealing with this very point of the number of signatories to the Memorandum of Association, he called attention to the provision in the Act to which I have

referred, that the registration should be conclusive. It was not necessary in that case to determine the point, and it has been determined the other way in the Court of Appeal. But for a considerable time it has been thought to be the law on account of the dictum by a learned Judge in this House upon the subject. Therefore I do not myself think that the dangers are so great; but I see no sort of objection to making it a penal act—I should approve of it—punishable by law, if any person in these proceedings did anything by way of misstatement to mislead the Registrar.

Motion agreed to; Bill read 2<sup>a</sup> accordingly, and committed to a Committee of the whole House on Monday next.

#### REFORMATORY AND INDUSTRIAL SCHOOLS ACTS.

##### QUESTION. OBSERVATIONS.

\*LORD NORTON: I beg to ask Her Majesty's Government whether they will re-introduce the legislation which they have prepared, and twice passed through Committees during the last three Sessions, for consolidating and amending the Reformatory and Industrial Schools Acts; and whether the Bills might not be introduced, as on the last occasions, in this House. The Bills I know are ready for re-introduction, and are not likely to meet with any opposition. They are extremely important Bills for the consolidation and amendment of the Reformatory and Industrial Schools Acts, which, by the Government's own acknowledgment, are at this moment in a state of great confusion and abuse. The noble Viscount, the Secretary of State for India, introduced these Bills the Session before last, and carried them through the House; and in introducing them he said that they were urgently wanted to meet the very great abuses connected particularly with industrial schools, where hundreds of children are at this moment collected who ought not to be there, and who are placed in a false position by being put in a *quasi* pauper or criminal institution without any reason for it. My Lords, the reason why they are so collected there is



that the schools have been used by philanthropic people, not for the purpose for which they were intended. In the year 1884 I was a member of the Royal Commission upon the subject of these schools, the Chairman of which was Lord Aberdare; and we went round the three Kingdoms for inspection. I recollect in a large town in Ireland we found in the industrial schools such an enormous number of children, who did not at all come under the description in the Industrial Schools Act, that we sent for the Chief Magistrate of the place and asked him how it was. His answer was that he really did not know that they were not within the description of the Act—he said he had never seen the Act—but, if they were not, they ought to be. That is how the Act has been used in Ireland. In Scotland the Act has been used so as to empty the pauper schools in all the large towns of Scotland into the industrial schools, and so to relieve the rates and throw the charge upon the Treasury. In England the abuse is as great, as we see by the Reports of the Inspectors, as to the indiscriminate use of these schools. At this moment there is one out of eight thousand of the whole population in England in industrial schools alone, to say nothing of reformatories and other similar schools; and in Scotland one in three thousand of the whole population is in industrial schools. There is no doubt that people send their children from mere motives of kindness and charity if they are in poor circumstances at home, or they think they will be better educated and cared for in these schools. My Lords, the matter of cost is the last consideration that I would urge upon your Lordships for re-introducing Bills to amend these abuses. The cost at this moment is about half a million a year to the country; but that I consider is of very slight consequence, compared with the disastrous results of so treating these institutions. It is really on a large scale taking away the sense of parental responsibility from the great mass of the population as to the care and education of their children—encouraging bad parents, discouraging good parents, and pauperising a very large portion of the people. The Bills that I want re-introduced to meet these abuses would be effectual. One provision is to lay upon the parents the total cost of their children in these schools, empowering the Local Authority to remit that part of the cost which the parents are evidently unable to meet, and also to take upon themselves altogether the expense of collecting, and of any defalcation of payments. That, of course, would be a very considerable check upon abuse. I think your Lordships will say that it should never be a matter of saving to a parent to get his child into one of these institutions; but that a child should, at least, cost the parent as much there as he would at home. I have had parents asking me how they could qualify their children to get into these schools. The only answer is, by throwing them on the streets. The Bills proposed that there should be an entire separation between what are called School Board duties and police duties in this subject; that the truant schools and industrial schools should take what are called the non-attendance cases, and the School Board should have nothing to do with crime. There are three Bills in one of which there provision is for entirely separating what I call the police action from the educational action in these schools. The Bills provide that in the case of boys corporal punishment should be used more for the sort of crimes that boys fall into, and at all events the punishment should be separate altogether from the education given in these schools. At this moment the confusion is so great that in the last Report to the Department it is clearly stated that the distinction between reformatory schools and industrial schools is also breaking down; that the class of children in the two institutions is exactly the same; and that the two are used indiscriminately by the Magistrates—who either convict in order to send to reformatory schools, or do not convict in order to send to industrial schools, according to the preference in the case for one school over another in that neighbourhood. The Inspectors not only say that these institutions are crowded in the most mischievous way, but that the length of detention in these schools is too long, and they re-

commend that in all suitable cases the children sent even to industrial schools should be boarded out, and in such cases should be sent to elementary schools; and that, in cases where it is possible they should be sent home again as soon as they are fit to go, if there is a decent home—and in some cases there is a decent home—I do not mean to say that in many cases there is; but, wherever there is a decent home for them to go to, it is a very strong measure, and a very wrong measure on the part of Parliament to take children away from their parents and place them in institutions of this sort to be educated as reprobates at the public expense. If these Bills were carried, it would be made clear that really vicious children should come under the general Criminal Law and be treated in the same way as adults; children of the ordinary kind of juvenile offenders should be punished, and then educated in reformatory schools; while for mere vagrants and neglected children in the streets without any decent home, there are the industrial schools. I would urge Her Majesty's Government to re-introduce these Bills at once into this House. The noble Viscount the Secretary of State for India is not here; but he is perfectly acquainted with these Bills, and he has stated their urgency to the House. He carried them successfully through this House without any opposition. We all acknowledge that he has thoroughly discharged the legislation connected with his own Department in this House, and I would implore Her Majesty's Government to allow him, now he has time, to take charge of these Bills, or, by whatever other arrangement they think best, to get these Bills again before this House, I would say without any further delay whatever. They would certainly pass through this House without opposition, and I think they might be in time to pass through the lower House of Parliament.

\*LORD DE RAMSEY: My Lords, I am glad to hear the noble Lord who asked this question speaking in such confident terms about the probability of little or no opposition to these Bills. It is a matter of great regret that although your Lordships have twice

well discussed the principles of these measures, they have not yet passed into law. It is the intention of Her Majesty's Government at an early opportunity to introduce them again; but, as your Lordships have so well discussed and considered them, it is considered convenient that on this occasion they should be introduced in the other House of Parliament, the more especially as in the Bills about to be introduced a very substantial number of your Lordships' Amendments will appear.

#### REFORMATORY AND INDUSTRIAL SCHOOLS—EMIGRATION.

##### QUESTION. OBSERVATIONS.

\*LORD MONKS WELL: My Lords, in venturing to criticise the action taken by the Home Office with regard to the emigration of children from reformatory and industrial schools, I wish at once to state the exact nature of the objection. I do not suppose for a moment that the Home Secretary is not actuated by the very best intentions; I do not for a moment allege that he has acted illegally, in the strictest sense of the word—no doubt he has acted in accordance with the letter of the law; but what I allege is that the Home Secretary has exercised a statutory discretion in direct contradiction to the plain intention of Acts of Parliament: that he has allowed the view and opinion of the Home Office to prevail over the view and opinion which has been sanctioned by the Legislature in more than one Act of Parliament. There has been a long-standing and serious divergence of opinion between the Home Office and the Managers with regard to the ultimate disposal of children from reformatory and industrial schools, as to whether the wishes of the parents should prevail over the wishes of the children. The Home Office, in upholding the right of the parents to take back their children when the time of their detention has expired, has acted in a way that is the despair of Managers who are condemned to see hundreds of promising children relapse into crime by being exposed to temptations which the children themselves, if they possibly could, would have avoided. Now, this action of the

*Lord Norton*

Home Office, as I have on several occasions explained to this House, has led to the most deplorable results. The statistics show conclusively that the surest method of destroying all the good that is done for these children at great expense and with great trouble in these schools, is to send them back to their old haunts and to their old associates; and it is hardly a matter of controversy among the Managers of these schools that the best result is obtained by emigration, which takes them entirely away from their old haunts and associations, and gives them an excellent opportunity of starting afresh in life under the best possible conditions. In spite of the accumulation of evidence of the disastrous consequences that have ensued from children being sent back to their parents, the Managers of these schools have never been able to shake the belief of the Home Office in the sacred right of parents to wreck the prospects of children whom they have abandoned to the care of charity or of the State. Up to the present year, I fully admit that the Home Office had the right to its own opinion, just as much as the Managers had the right to theirs; but, my Lords, the question is now put on an entirely different footing. Up to last year the Legislature had taken no part on either side in this contest—it had stood aside and, as it were, kept the ring for the combatants. But last year the situation was entirely changed; the Managers invoked the Legislature to their aid, and the Legislature passed two Acts of Parliament to say that if parents did not undertake the obligations of their position they should no longer have the rights of parents. The Legislature said, in these Acts of Parliament, that parents could not claim the rights of parents while they refused to exercise the duties of parents. Now these Acts, as it seems to me, ought to have done away in the minds of the officials at the Home Office with any idea that they were in any way compelled by the law of England to regard the wishes of the parents rather than the wishes of the children—that they ought to pay an extravagant and, I venture to think, a deplorable deference to the wishes of the parents in the ultimate disposal of these children. Now one of

these Acts of Parliament had express reference to reformatory and industrial schools. This Act is a very short one indeed; it was passed last year, and is as follows: It is called—

“An Act to assist the Managers of Reformatory and Industrial Schools in advantageously launching into useful careers the children under their charge.”

Therefore, there is no doubt with what object this Act was passed. The Act says:—

“If any youthful offender or child detained in or placed out on licence from a Certified Reformatory or Industrial School conducts himself well, the Managers of the school may, with his own consent apprentice him to, or dispose of him in, any trade, calling or service, or by emigration, notwithstanding that his period of detention has not expired, and such apprenticing or disposition shall be valid as if the Managers were his parents. Provided that where he is to be disposed of by emigration, and in any case unless he has been detained for twelve months, the consent of the Secretary of State shall also be required for the exercise of any power under this section.”

Your Lordships will see that this Act, though it gives the Home Office a veto as to emigration, still mentions emigration in connection with other modes of disposing of the children, and it puts the Managers in the position of the children's parents, not only as regards other methods of disposing of them, but also as regards emigration; and the Act, as it seems to me, is clearly meant to alter the law as to emigration and to give the Managers of the schools greatly increased powers of emigrating these children. And I may call your Lordships' attention to the fact that, as regards other methods of disposing of the children, it entirely revolutionises the law by doing away with the veto that existed in the Home Office. Now the Managers of industrial schools naturally thought that when that Act was passed, what they conceived to be the spirit of the Act would be given effect to by the Home Office; and they thought that as they themselves, the Managers, had been put in the position of parents, the Home Office would have been as chary for the future in interfering with the discretion of the Managers as it had been in the past in interfering with the discretion of parents. But, my Lords, the Home Office did not take that view, and they

determined as to emigration to make this Act a complete dead letter; and not only have they made it a dead letter with regard to emigration, but it would seem, from the terms of a Circular which I hold in my hand, which was issued last August after the passing of this Act, that the Home Office consider it their duty still further to rivet upon the children the chains which they had already empowered their parents to place upon them. This Circular of the 25th of August, 1891, after quoting the Act says, that Mr. Matthews has thought fit to require that in all cases of disposal by emigration the consent of the Secretary of State will depend, among other matters, upon the written consent of the parent being forwarded to him, unless it can be shown that such consent may, through parental neglect or misconduct, be dispensed with; that is to say, the Managers must prove affirmatively neglect and misconduct on the part of parents. The Managers think that they should not be obliged to do this; they consider that the mere fact that the parent has parted with the control of his child, by making over his child to these schools, is *prima facie* proof that he has not exercised the functions of a parent as they ought to be exercised, and that the boot ought to be on the other leg—that the parent ought to be obliged to show affirmatively that he is a parent who is well capable of looking after the welfare of his child. My Lords, what I want to point out is this: that it is a very strange thing that the first Circular that is issued by the Home Office after this Act has been passed, with a view to giving Managers further control over the disposal of the children, is in much stronger terms than the previous Circular of 1885; for the previous Circular of 1885 did not say that in order that the wishes of the Managers should prevail, in all cases misconduct on the part of the parent must be proved; it merely said:

“It is desirable that in all cases a careful inquiry should be made into the character of the parents and the condition of the home.”

Therefore I say it would seem as if the Home Office had read those Acts of Parliament so as further to fetter the discretion of the Managers and the children rather than to give the

Managers and the children greater discretion as to their ultimate disposal. My Lords, I now come to the recent acts of the Home Office under that Circular. There were nine cases in which the parents of children who wanted to emigrate from the two industrial schools, Feltham and Mayford, with which I am connected, refused their consent to such emigration. In eight cases out of the nine the veto of the parents was upheld; the ninth case was a case of illegitimacy. Therefore in every case of a legitimate child the veto of the parent was upheld, and I hope that those eight children who are legitimate may not have cause to regret to the last day of their lives that they had the misfortune to be born in wedlock. It is clear, as I venture to think, that the Home Office has disregarded the intention of the Legislature; but I think that the matter becomes even plainer on referring to the “Custody of Children Act” passed in the same year; for that Act declared in Section 3 that

“Where a parent has allowed his child to be brought up by another person”

(that is subsequently explained as including a school or institution)

—“at that person’s expense, or by the Guardians of a Poor Law Union, for such a length of time and under such circumstances as to satisfy the Court that the parent was unmindful of his parental duties; the Court shall not make an order for the delivery of the child to the parent, unless the parent has satisfied the Court that, having regard to the welfare of the child, he is a fit person to have the custody of the child.”

It seems to me that that Circular goes against the plain spirit of the Act of Parliament in compelling the Managers to prove affirmatively that the parent has misconducted himself when, under very similar circumstances, that Act says that it rests on the parent himself to show affirmatively that he is a person who ought to have the control of his child. Now I really think that it is time that this nightmare of parental control should be no longer allowed to paralyse philanthropic effort. My Lords, I hope the House will strengthen the hands of those who wish to induce the Home Office in fit cases to allow their children to emigrate. As to the action of the Home Office, perhaps I ought to say

*Lord Monkswell*



further that I have only been able to get detailed accounts of these children in one case. I have had short notes in the other cases, which I have sent on to the Home Office; I have not kept a copy of them, and, therefore, I cannot quote them to your Lordships; but I may mention, with regard to one of the cases put down in these short notes, that the note made by our inquiry officer is that the child's home was wretched, and that the father was not in a condition to find him any employment. With regard to another of these boys, I have the whole report of our inspector in my hand. The boy's name is Foster, and I may mention to the House that the payment that his father ought to make for his schooling is very greatly in arrears; and with regard to the other cases, where the Home Office have sustained the objection of the parents, I have good reason to believe that in some cases the parents have made no payment at all, in other cases very small payment, and I believe I am right in asserting that only in one case was any substantial payment made by the parent. As to Foster our officer reports:—

"I saw the father at his work, a carman in the employ of the Local Government Board at Sutton, Surrey; he has been there seven or eight years; a widower. The house was locked up—I was told he was seldom at home: He has two children depending on him, living with his mother-in-law, a very respectable person, who said there was not the least prospect for the lad at home only to get into trouble should he return."

Yet this is a boy who is very anxious to emigrate to Canada and the Home Office said he was not to go. I hope I shall have the sympathy of your Lordships' House with me. I hope the Home Office, on further consideration, will act in accordance with the views of the Legislature; I hope that they will cause reasonable facilities to be given for the emigration of these children who want to go, and whom the Managers want to send, abroad; and I hope they will have regard to the wishes of those who take great interest in these children, who have most reason to know in what way the welfare of those children can be best advanced. My Lords, I beg to move that the

Papers relating to such refusal be laid upon the Table of this House.

Moved, "That there be laid before this House papers relating to the action of the Home Secretary in refusing permission to certain children in industrial schools at Feltham and Mayford to emigrate to Canada."—(*The Lord Monkswell.*)

\*LORD DE RAMSEY: My Lords, I venture to second the hope expressed just now that your Lordships will endeavour to induce the Home Office to carry out the spirit of the Legislature. I hope that I shall have no difficulty in a very few words in showing your Lordships that the Home Office have continually done that during three successive Governments. The noble Lord who has brought this matter before you founds his case, so far as I understand it, on the right of School Managers as before the right of parents to emigrate the children, and that there is to be no veto; but that whether it is liked or not by the parents those children are to be emigrated. But that is the very point which your Lordships decided last year, and it was the very object of the power being given to the Secretary of State to use his discretion in cases of parents not agreeing to their children being emigrated, and that the Secretary of State might use his power to veto the verdict of the School Managers. How did this matter arise? It was when the Government of the Party of which the noble Lord is a member was in power, and when two Circulars were issued by the then Home Secretary. The first Circular was in consequence of the Secretary of State discovering that children were then emigrated without their parents' leave. A second Circular was then issued to say that, although the Secretary of State would not allow children to be emigrated without their parents' leave, that was not to affect the case of dissolute or bad parents. The third Circular, and the one which I think the noble Lord seems to complain of most, was issued last year, and was simply calling the attention of the reformatory and industrial schools to the Act, which, as a Bill, was brought in by Colonel Howard Vincent, and really was part of the Bill of the Government, calling the attention of

the reformatory and industrial schools to what the Legislature had done. I daresay the noble Lord was not pleased with that Act; but, if Parliament in its wisdom has already decided that a veto as regards these cases is to rest with the Secretary of State, surely it is rather early, a year after, to ask your Lordships to alter your mind. The noble Lord has hardly, I think, fully stated to this House the numbers in this one particular case to which he refers. I presume he has taken the two schools together, Feltham and Mayford.

LORD MONKSWELL: That is so.

\*LORD DE RAMSEY: That makes the noble Lord's side of the question better. But, if your Lordships will take Feltham alone, we shall find that, out of 31 names that were forwarded to the Secretary of State for emigration, the Secretary of State only put his veto upon six. Now the procedure in this case is very simple, and I should think nothing could be fairer or better to the parent, to the children, and to the community at large. Upon the Secretary of State receiving the names of these children he sends them to the Inspector of Reformatory and Industrial Schools, who again sends his officer to investigate into each case. In these six cases the parents objected to their children being emigrated; in four of those cases the parents were distinctly respectable and of good character; in the other two cases there was nothing whatever against them. Now, my Lords, I ask you are we, some of us parents, to allow the children of poor and respectable parents, with nothing in the world to be said against them, to be emigrated against their parents' wish? Surely there is some justice in the decision that Parliament arrived at last year to give the veto to the Secretary of State on School Managers who would commit such an injustice. I think that the more the noble Lord opposite looks into this matter, the more he will find that the Home Office is distinctly inclined to second him in his well-known good works. He has taken up the view in this case that the Secretary of State is opposed to him. In that I beg to assure him most can-

didly that he is entirely in the wrong. If he thinks that the powers imposed upon the Secretary of State have been abused, then I am afraid my explanation will not satisfy him; but he may rest confident that it is only in the cause of justice and of freedom to the parents and to the children that the Secretary of State will issue his veto against the emigration of children in these cases.

THE EARL OF KIMBERLEY: I cannot help thinking that the noble Lord has rather misunderstood what my noble Friend behind me wished to bring before the House. My noble Friend does not for a moment contend that the Home Secretary ought not to possess the veto, or that the Home Secretary ought not to exercise that veto whenever he is satisfied that it ought to be exercised; what he wished to point out to the House was that, according to the view which he takes of the Circular of the Home Office and their action, they appear to be of opinion that the onus must lie upon the Managers of reformatory schools to show that there is a reason why the consent of the parents should not be conclusive upon the matter. What my noble Friend urged is that it ought rather to lie upon the parents to show that they are respectable people, and that the consent ought to be refused. Surely there is a great deal of force in what my noble Friend said. These children were originally placed in reformatories because they were neglected by their parents; they have been taken care of at the expense of the State; and the question then arises whether they are to be restored to their parents or not. Surely the obvious course to be taken by the Home Secretary, who possesses the veto, is not to restore them to their parents if another career is proposed to them by the reformatory school, and against the wish of the children, unless it is clearly shown that the parents are proper persons to receive them. But I rather gather, even from what the noble Lord has said, that the Secretary of State seems to regard it as part of his duty, unless the consent of the parents has been obtained, to exercise his veto.

*Lord De Ramsey*

\***LORD DE RAMSEY**: I am glad that the noble Earl gives me an opportunity to explain that ; it is quite the contrary. The Secretary of State uses his veto in cases where the parents do object, but yet he may insist on their being emigrated. He does not issue his veto in cases where the parents object and he says those children must not be emigrated; but, in cases where it is proved to him by the double inquiry that the parents are dissolute, and are not fit to have the charge and care of children, the Home Secretary says that those children shall be emigrated in contradiction of their parents' desire.

**THE EARL OF KIMBERLEY**: Then I am to understand that, in point of fact, the noble Lord agrees with my noble Friend behind me ; he did not say so. If he agrees with my noble Friend that the proper course for the Home Secretary is only to exercise his veto where the parents are unable to show that they are respectable parents and fit to take care of their children, there is no dispute upon the matter. I apprehend that my noble Friend will be perfectly satisfied. But unfortunately, according to what I heard from my noble Friend behind me, that impression does not appear to have been produced upon the Managers of reformatory schools, and I think it is very unfortunate that it should be so. The last Circular issued by the Home Office is certainly very much more peremptory with regard to the consent of the parents than the former one ; and, if I might venture to make a suggestion in a matter of this kind to the Home Office, it would be that they should issue another Circular, making it quite clear that the view which the noble Lord has explained to the House is the view of the Home Secretary ; and I have no doubt that, when that is done, the Managers of reformatory schools will be thoroughly satisfied.

\***LORD MONKSWELL** : I should like to say a word or two in reply to the noble Lord opposite, because he seemed to labour in some respects under a misapprehension. He says that I object to the Act of 1891. It

was at my suggestion that Colonel Howard Vincent brought that Bill into the House of Commons, and I passed it through this House, because I thought it would give the Managers a great deal more power to emigrate children than they possessed before. Your Lordships may judge of my astonishment when I was confronted by a Circular which tells me that for the future it will lie upon the Managers to prove that the parents are drunken and dissolute, and cannot look after their children ; whereas, what we have always contended for is that we should be placed in the same position as the "Custody of Children Act" places other institutions ; and that it should be for the parent himself to prove fairly and conclusively to the Home Office that he is a proper person to take charge of his children. My Lords, I should like to know how much these parents have paid.

\***LORD DE RAMSEY**: I am quite prepared to show the noble Lord what those parents have paid. He was quite correct in saying that one of them has paid a considerable sum ; but other parents have also paid considerable sums.

\***LORD MONKSWELL**: My information is just the contrary.

\***LORD DE RAMSEY**: I can give the noble Lord authentic information ; I will show him any Papers that he likes to ask for.

\***LORD MONKSWELL**: I do not press the Motion for Papers if I can get any Papers I want.

\***LORD DE RAMSEY**: There is no objection to Papers being produced.

\***LORD MONKSWELL**: I may mention that I sent the Clerk to the Reformatory and Industrial Schools of the London County Council to Delahay Street to ask for Papers, and he was told that he could not have them. My Lords, I move for the Papers.

Motion agreed to.

House adjourned at twenty minutes before Six o'clock.

## HOUSE OF COMMONS,

*Thursday, 19th May, 1892.*

## PRIVATE BUSINESS.

EASTBOURNEIMPROVEMENT ACT(1885),  
AMENDMENT BILL (*by Order.*)

## CONSIDERATION.

As amended, considered.

\*(3.10.) ADMIRAL FIELD (Sussex, Eastbourne): I am very sorry to have to intrude on the attention of the House again. I would gladly have ceased all opposition to the Report of the Committee if it had been possible for me to do so, but I am sure the House will allow me its kind indulgence when it learns from me that it is not possible for me to assent to that Report. When I unfold my tale I shall be able to show that Eastbourne has a very strong grievance under the circumstances. The Committee was composed of duly-qualified men, five selected by the House and four by the Committee of Selection—all good men bar one, perhaps—myself; but to the composition of that Committee I must draw the attention of the House. We went into that Committee—that is to say, Eastbourne did—as I now find, doomed to failure. When I was a young man, and used to go round the Assizes and serve on Grand Juries, I used to hear talk among barristers about “hanging juries,” and following up that expression and applying it here I say Eastbourne went before a “hanging Committee.” The House will expect an explanation, and I am prepared to give it. The Committee, I expected, would be fairly balanced. The right hon. Gentleman the Member for Wolverhampton (Mr. H. H. Fowler) and myself were in opposition; other Members were nominated by the House from either side. The Committee of Selection nominated good men—the hon. Baronet the Member for the Tewkesbury Division (Sir John Dorington), my hon. Friend the Member for the Harwich Division of Essex (Mr. Round), the noble Lord the Member for the Barnsley Division

(Earl Compton), and the hon. Member for Leicester (Mr. Picton). We went into the business; we got into the evidence, or the address of counsel—I forget which; allusion was made to various clauses and bye-laws, and particularly to the repeal of the Torquay clause. I am permitted to say by my hon. Friend (Mr. Round) that then he suddenly realised, when it was too late to withdraw, that he had served on the Committee which recommended the repeal of the Torquay clause, and, therefore, he brought, to his own regret, to the consideration of this subject a biased mind. He would not have served on the Committee if he had remembered the circumstance that he had previously served on the Committee for the Torquay Bill; but it was too late for him to retire. If he had remembered it, it would not have been necessary for me to have objected to his nomination; he would have declined to serve, and the Committee of Selection would have nominated some other Member. I am certain the Committee of Selection would not have nominated him had they been aware of his having served on the Torquay Committee. The House will then understand that I feel fully justified in raising opposition to the Report of the Committee, for I say we have not had fair-play upstairs. It was impossible under the circumstances. If there had been an hon. Member from this side of the House who had not served on that Torquay Committee, I am sure I should have had his support, and then we should have been four in favour of the clause, and possibly there would have been four against me, and then the Chairman would have had to give his casting vote, the very thing I wished to compel him to do. But as the case stood, I had only the support of my hon. Friend on my right (Mr. Bartley) and the hon. Baronet (Sir John Dorington), and so we were three to five. Now, I do not think that is satisfactory. I believe when the Second Reading was carried in this House by a large majority, very many Members meant by their vote that this matter should go before a Committee upstairs, there to be thoroughly threshed out. They did not



mean by their votes that the clause was to be repealed—many Members have told me so—but that the question should be thoroughly threshed out by a duly-qualified and well-appointed Committee. Well, now, how do we stand? I have given notice of three new clauses, which will be found on the Notice Paper, and I will deal with them presently; but before I do so, let me say a word about the hearing of the case. I wish to speak in terms of the highest respect of the right hon. and learned Gentleman who occupied the chair (Sir H. James). It was a real treat to serve on the Committee if only to see the way in which he handled his brother Q.C.'s and kept them to the point. We should probably be sitting in the Committee Room now but for our Chairman. He conducted the case with a desire to get it over rapidly, and I am bound to say he accomplished his purpose. I could not but admire the skill he showed in handling his brother sinners in the law. It was refreshing to get upstairs into the healthier legal atmosphere, to get away from political lawyers into the dry atmosphere of law itself. Let me give a short quotation from the learned counsel for the promoters. Said he—

“It is not for me to defend the breaking of the law, and I decline altogether to do it, even to defend those who break what they consider a bad law, and even if they do it by way of honest protest.”

I say it was refreshing and agreeable to get into a healthy legal atmosphere and not hear lawyers justifying open disobedience as a protest to get a law repealed. I will not detain the House longer than I can help; but let me call attention to some of the evidence given before the Committee, and particularly to that of Mr. Booth himself. The right hon. Chairman asked the witness a question, after some reference had been made to Bedford, and the question was—

“Supposing that we repealed this clause, and supposing that the Town Council of Eastbourne should make a bye-law regulating the playing of music at Eastbourne on Sundays, and that the Home Office approves of it, will you obey the bye-law?”

What a question to come from a Committee—whether a bye-law, being

certified by authority to be a good bye-law, would be obeyed! Mark the answer—

“We shall, if it does not in effect obtain what the repeal of the clause is intended to abolish.”

In other words, he would, if he approved of the law—not if he did not like it! I will not read all the evidence on the point; it is too long. The counsel, Mr. Pember, interposes and says—

“I give the most solemn pledge on the part of the Salvation Army that that shall be so;” that is that they shall obey the bye-law. Then Mr. Bramwell Booth goes on—

“Allow me to add one item of information. We now carry on our operations in a thousand towns. There are multitudes of bye-laws affecting us, and multitudes of local circumstances that require concessions here, alterations there, and modifications here, from time to time, and we have scarcely any difficulty in any towns. We are always ready to meet them except where we find, as we have done in cases like Croydon, a bad bye-law, and then we cannot stand it.”

See the arrogance of the man—

“Except in cases like Croydon, where we find a bad bye-law”!

So Mr. Booth himself is the person to judge if a bye-law is good or bad! When a bye-law is passed by a Local Authority and approved by the Home Office, still, in his opinion, it may be bad, and then he will refuse to obey it! Then the Chairman pushed him further, asking—

“Could you not shortly say that you will obey any valid bye-law?”

Mr. Pember answers for him!—

“We will obey any valid bye-law.”

Then counsel asks—

“Will you put it to Mr. Booth whether he would accept these two bye-laws?”

The Chairman said—

“No. Mr. Booth has said through his counsel that he will accept any valid bye-law. That gives you the full scope under the Municipal Act of making any bye-law that shall be reasonable.

Mr. Richards: The St. Alban's bye-law has been upheld by the Courts.”

So the questioning went on, and then it occurred to me that a concrete case would be better than much argument and I asked—

“A concrete case is better in my judgment. Do you accept the bye-law of St. Alban's which now exists as a valid bye-law?”

The witness replied—

“What is the St. Alban’s bye-law?”

The bye-law was handed to him, and he went on—

“I am not a lawyer; but I should think that the bye-law is good. But I do not know; it is for the lawyers to say.

The Chairman: If it is valid?”

Then I remarked to him—

“You were convicted under it?”

And he answered—

“It does not follow that it was good law.”

But he appealed to the High Court, and the Court upheld the conviction. The fact was established that it was a good bye-law; he could carry the case no further.

MR. H. H. FOWLER (Wolverhampton, E.): And he obeyed it.

\*ADMIRAL FIELD: Yes; I am coming to that presently. Then the learned counsel (Mr. Pember) referred to the bye-law which was rejected by the Home Office, and finally my hon. Friend near me (Mr. Bartley) put this question:—

“Supposing that the bye-law is approved by the Home Office will you and the Salvation Army undertake to abide by it until it is proved not to be valid?”

The witness answered—

“I do not think that is quite a fair question to ask me.”

You see the kind of witness we had. But at last his own counsel would not stand it any longer, and, to use a nautical expression, “jumped on him,” and said—

“It is perfectly fair, and I give that pledge. You must allow me, Mr. Booth, to give that pledge for you.”

He gave a solemn pledge to obey subject to a test case. The learned counsel saw his case slipping away. He wanted to get quit of Mr. Booth. He appreciated the danger of the situation, and he proved equal to it. He said—

“No; you must hear me give a pledge which I consider I am instructed by your solicitors and my clients to give. If you repudiate that pledge it must be done openly, but I do not think you will. I propose to pledge you here that, in the event of the Home Secretary sanctioning a bye-law for Eastbourne, you will obey it until by legal means you have got it proved to be a bad bye-law and upset.”

*Admiral Field*

Then questions go on until at last it comes out—

“I accept that.”

MR. H. H. FOWLER: Hear, hear!

\*ADMIRAL FIELD: Yes, but the witness had already told us that as in the Croydon case he would not obey what he considered a bad law. Are we to believe this arrogant witness will keep his word? What guarantee have we that he will do so? We prefer to keep our clause, and we consider, after all the evidence given by witnesses, and the arrogance displayed by this man, who will yield no obedience but to a law of his own approval, that Eastbourne should not be deprived of this statutory power. It is because I conceive that the Committee were of opinion that the clause was somewhat too strict that it gave no latitude even to the Corporation, because under it the Corporation had no right to approve of a procession, that I venture to introduce a new clause to the notice of the House. It will be observed that I keep the old clause, but add certain words, and it will read—

“No processions shall take place on a Sunday in any street or public place in the borough, accompanied by any instrumental music, fireworks, discharge of cannon, or firearms, or other disturbing noise, otherwise than with the consent of the Local Authority, and in such manner as they shall direct.”

That gives a latitude to the Local Authority to allow processions under certain circumstances, having regard to the route they shall take and the times when the music shall play. That seems to me to give a reasonable amount of elasticity. Three of us stood for it in Committee, and we should have been four but for my hon. Friend the Member for the Harwich Division having committed himself to the repeal of the Torquay clause, as I have said. Then I come to some of the evidence, that bye-laws were drawn up by the Corporation, acting on hints in speeches delivered in this House during the Debate, that if the clause were repealed the Corporation should frame bye-laws and submit them to the approval of the Home Office. These bye-laws are in existence in St. Alban’s

and in Bootle; but the Home Office, having the draft of the bye-laws submitted, declined to sanction them, even though they are approved in St. Alban's and in Bootle! Well, Sir, it seems to me in this business Eastbourne is "between the devil and the deep sea"—not allowed to keep the clause and not allowed to have the bye-laws she wants. Now let me say a word or two on another clause I have suggested. During the inquiry I put a question to different witnesses. I put it to the Chief Constable, and asked his opinion whether such a clause as this would be acceptable—

"If on the conviction of any person for an offence under this Act it shall appear to the convicting justices that such disturbing noise was caused by the playing of instrumental music in a procession on Sunday, it shall be lawful for the convicting justices, if they shall think fit, to make an order for the seizure of such instruments aforesaid with a view to the destruction or sale of the same, in lieu of any other penalty or costs provided by this Act."

The Chief Constable approved of the clause; the Mayor approved of it; the Town Clerk approved of it. The authorities would be glad to have such a power, for it would meet the difficulty they had in enforcing obedience to the law. This forfeiture of the instruments with which the misdeeds are done would follow the parallel of the Weights and Measures Act, which confiscates the false weights and scales used by a tradesman in the sale of his goods. This would meet the difficulty there has been found; there would be no necessity for imposing fines these people will not pay, and giving them the opportunity of going to prison and posing as martyrs. Simply, they would if they wished to continue to break the law, have to send for new instruments. I put this to the Clerk to the Magistrates, and he highly approved of it. Then another clause was suggested by the Clerk to the Magistrates for the recovery of penalties. This clause stands No. 2 in my Amendments, and runs as follows:—

"If on the conviction of any person for an offence under this Act it shall appear to the convicting justices that such offence was committed under the order, direction, or authority of any other person or persons"—

we know these persons act in pursuance of instructions from head-quarters, and so the clause provides—

"It shall be lawful for the convicting justices if they shall think fit to summon such other person or persons to appear before them, or any other justices of the peace for the same county, borough, division, or place, to show cause why any penalty and costs imposed upon the person convicted should not be paid by such other person or persons under whose order, direction, or authority such offence shall appear to have been committed. And in case cause shall not be shown to the contrary to the satisfaction of the said justices they may make an order for payment by such other person or persons of such penalty and costs together with the cost of and incident to the making of such order, and in default of payment the said penalty and costs may be recovered against such other person or persons in the same manner as penalties may be recovered under the Summary Jurisdiction Acts."

The power to summon such parties to fine them, and to recover fines by distraint would, no doubt, be an effectual remedy; and I have adopted the suggestion in my clause. There is one other matter I should like to allude to for a moment. When we had these matters under discussion in the House I made a statement which I know was not credited in full by the right hon. Gentleman opposite (Mr. H. H. Fowler). I said that all Nonconformist Ministers and all clergymen were agreed in objecting to these Sunday bands. I do not think that statement was accepted, but what happened in Committee? We had before us a Nonconformist minister of the old type; his name was Mr. Baxter, and I have no doubt he is a descendant of the pious author of *The Saint's Rest*. He gave his evidence admirably; and when he made his appearance in the witness chair, I saw the faces of the right hon. Gentleman the Member for Wolverhampton (Mr. H. H. Fowler) and the hon. Member for Leicester (Mr. Picton) radiant with joy at having a witness to whom they could yield implicit credit. Mr. Baxter was asked this pertinent question—

"In your opinion has the Sunday band-playing provoked all the opposition and noise?"

He had already stated that it was the unanimous belief of all the ministers in Eastbourne that it was the sole cause of the disturbance. His answer was—

"Yes; I believe so on two grounds: first, because it has been considered to be an unnecessary thing in itself; and, secondly, because the Salvationists have been considered to be over-riding even their own rules and regulations, because it is laid down there specifically that if the procession or the playing should prove to be provocative to a mob, there should be a cessation of it. That has been distinctly laid down in this Red Book, and has not been abided by."

Another question he was asked, because it had been affirmed that all Nonconformist ministers in charge of congregations were on our side. The right hon. Gentleman the Member for Wolverhampton had another arrow in his quiver; he had a Nonconformist minister without a chapel, and counsel asked—

"Do you agree at all with the Rev. Mr. Turner in the suggestion that there has been any terrorism exercised over the inhabitants to make them vote in opposition to the Salvation Army?—Decidedly not."

So it goes on. I will not read all the evidence. Mr. Baxter gave it clearly and well on the side of order and the retention of the clause. But further than that, this rev. gentleman, Mr. Baxter, wrote a letter the other day on the subject from which I must quote a sentence or two, because this is *à propos* to a preposterous argument and a good reply to the right hon Gentleman (Mr. H. H. Fowler), who called this "religious persecution." This Nonconformist minister wrote to a local paper as follows:—

"Religious persecution we do not desire, though to call the Sunday band a 'religious' affair, when it has not a scrap of warrant from the personal example or precepts of the Great Founder of Christianity, or from the practice of His Apostles, is a farce indeed."

It is a Nonconformist minister saying this—Mr. Baxter, the possible descendant of the famous author of *The Saints' Rest*—

"All the New Testament has to say of the 'sounding brass or tinkling cymbal' is to put them metaphorically in contrast with true religion (1 Cor. xiii. 1). And it does seem hard that after the town was provided with a clause which has no anti-Scriptural element in it, that clause should be repealed at the will of one man. But we live in an age of lawlessness."

Yes, Sir, it is an age of lawlessness. We are asked to repeal a clause because a certain section of men refuse obedience to it. Let me quote a pas-

*Admiral Field*

sage from the speech—a famous speech—delivered the other day by the right hon. Gentleman the Leader of our Party in this House (Mr. A. J. Balfour), at Manchester. He said—

"We have not got to wait till the last decade of this nineteenth century to learn that if you refuse to enforce the law, the law will be despised, contemned, and disobeyed."

Yes, I know he was referring to the maintenance of law and order in Ireland; but you may apply the precept to this smaller instance, as we (the Committee) saw when we had that arrogant witness before us, who showed that he was disposed to obey no law but his own will, and who with difficulty was compelled by his counsel to give a guarantee of obedience. What guarantee have we? We have our law, and we want to keep it. We had an illustration the other day in this House. A few days ago we had a Private Bill before us in relation to Glasgow. I was not here, but I just looked in. I had to go to Hastings to do better work. There was before the House a very novel clause—a very novel clause indeed—in regard to disorderly houses. Very well. The Under Secretary representing the Home Office got up and opposed the clause on general grounds, and he quoted Eastbourne in relation to matters which should be regulated by bye-law. But what did the House do? What did this House care about the opinion of the Home Office? It was disregarded; the Home Office had to give way, and the clause was adopted. Very well. But do you call this consistent conduct to put a clause in which the Home Office objected to, and strike out a clause accepting the statement of the Home Secretary that it ought to be done by bye-laws. Oh, I like the consistency of politicians in this House! People are not all of one mind. We were provided on the Committee with the notes of the evidence on the Torquay Bill. Mr. Sclater-Booth, now Lord Basing, was Chairman of the Committee on that Bill, and he certainly was opposed to the view of the Home Office. The talk was upon the Hastings Clause. The Chairman said—

"We all thought the Hastings Clause was quite sufficient."

The Eastbourne Clause is the same—



"It was settled after a great deal of discussion. The Home Office object to the clause altogether."

It seems to be the fortune of the Home Office to object—

"Therefore we are giving you something in allowing you the Hastings Clause."

Now, the remark of the Chairman is worthy of note. He had been President of the Local Government Board, and knew something about upholding the law. He continued—

"I do not agree with the policy of the Home Office in that matter."

I wish he were here to support me in this controversy—

"I know what they want—they want general legislation."

Then why not bring in a Bill making it general and we will support you?—

"But we may have to wait ten years for general legislation, and we must put the clauses into this Bill."

And he put the clause in, and this House struck it out afterwards on the advice of the Home Office. But then this House acted in a totally different manner when it inserted the clause the other day in the Glasgow Bill. I think the Home Secretary and the right hon. Gentleman the Member for Wolverhampton (Mr. H. H. Fowler) are bound, if they wish to be logical and consistent, to bring in a Bill now to repeal all these clauses where they exist in Hastings, Reading, Carlisle, and Eastbourne. Do not punish Eastbourne alone. To be logical and consistent repeal the whole, and then we can understand your policy. Talk of persecution! You are persecuting Eastbourne. Eastbourne is persecuted by the Salvation Army. Eastbourne wants the peace kept; wants her law maintained; and if we cannot get justice here we will go somewhere else. There is a final Court of Appeal still in existence, and to that purer legal atmosphere I propose to take these clauses, away from the unhealthy atmosphere of this House. I will not trouble the House to divide on this matter. No, I am not going to give you the chance of boasting of another victory, for no doubt there would be a majority in support of this Report of the Committee to which I object. We will take our cause to the House of Lords,

where the discussion will be unembarrassed by the fear of the lessening of votes, uninfluenced by the prospects of a General Election. They can bring their strong legal minds to the consideration of the question, and Eastbourne will come out of the furnace of her trouble—(An hon. MEMBER: Purified!) No, Sir, Eastbourne has no need of purification; it is in one of the purest constituencies in the country, and it is a most charming town to live in. All she wants is peace and quiet on Sundays. That is what the inhabitants want—they, including the ministers and clergy of all denominations, are in favour of my proposals. ("No!") No? Except one man who is a minister without a chapel, who is what may be called a "returned empty." But I am provoked into these remarks by interruptions. I will not take up more of the time of the House. (Cries of "Go on!") Oh, I am game to go on, if I could see any useful result, for another half-hour, but we have important business before us. But I wanted to show the House that I am justified in drawing its attention to this matter. I have shown it was impossible to get justice from that Committee, constituted as it was. I believe it was the desire of the House that Eastbourne should have a full inquiry and a fair decision. That fair decision we have not had from my point of view, for I have shown that one Member was committed by his previous action in reference to Torquay.

MR. SPEAKER: The hon. and gallant Gentleman is not entitled to cast reflections on the action of Members on a Committee.

\*ADMIRAL FIELD: I apologise, Sir, if I have said anything wrong. One word in conclusion. A good deal has been said against religious persecution and in favour of religious liberty, and I am a strong supporter of liberty, religious and every other kind of liberty, to the utmost possible extent. But, Sir, liberty without law is licence, and I take my definition of liberty from a great thinker, Mr. John Stuart Mill—

"The liberty of each bounded by the equal liberty of all."

That is what we want in Eastbourne. Let every man have liberty to do as he

likes, provided that the rights of others are not thereby infringed—that he is not a nuisance to his neighbours. These men, the cause of these complaints, acknowledge no law but the order of their chiefs in London who direct these proceedings, and who are a law to themselves. From my point of view we have failed to get justice in this House, owing to the peculiar conditions under which we were placed. We live in lawless times, said Mr. Baxter, and we live, I must say, in a “flabby” age, when men, knowing the right thing to do, have not the courage of their convictions. But I will not dwell on this. I thank the House for allowing me my protest, which I felt it my duty to make. We have failed to get what we believe to be justice; so we carry our cause to the Court of Appeal where, with no fear of shaking seats, our claims, unmingled with election cries, will have a fair hearing and a wise decision.

(3.40.) SIR H. JAMES (Bury, Lancashire): I am not disposed to treat too seriously the speech of the hon. and gallant Admiral, nor do I think my Colleagues on the Committee will take to heart anything he has said. But I must point out that the hon. and gallant Gentleman is not justified in saying that Eastbourne has not had fair play, or in making charges against any Member of the Committee. I think he mentioned the hon. Member for Harwich (Mr. Round) as being biased in his judgment.

ADMIRAL FIELD: I beg your pardon. I made no charge against individual Members. I referred to the position of the hon. Member for Harwich, and I said that it was impossible for us to be four on each side.

SIR H. JAMES: The hon. and gallant Admiral seemed to treat us as if we were a portion of his crew and bound to obey his orders. My hon. Friend the Member for Harwich he would reduce to the level of cabin boy. The hon. Member for Harwich had the advantage of having heard the evidence in reference to the Torquay Clause under similar circumstances, and he brought his experience to the investigation of the Eastbourne case. The hon. Member is known for his sound judgment. I

*Admiral Field*

can only say in regard to what the hon. and gallant Gentleman has said as to my conduct of the proceedings that I never stopped any counsel without having the full concurrence of the Committee. The hon. and gallant Admiral sat on my right, and I had the advantage of his advice. He acquiesced in the manner in which the counsel were treated, and I think he used the expression “superb” in regard to the conduct of the proceedings. In this respect the Committee acted with perfect unanimity. We had to deal with a very exceptional state of circumstances, and with a Municipality not likely to be impartial in the treatment of those who chose to assemble for the processions—we had it in evidence that the Mayor had said he regarded the Salvation Army as “an atrocious, infamous, and degrading institution”—and that it was desirable to give to that Municipal Body entire discretion in such matters was not the view taken by the Committee. We delegated to them the duty of framing bye-laws, which shall afterwards receive the sanction of the Home Office and be held by an impartial judge to be reasonable before they become valid. That duty will, I hope, be carried out. The Committee, I may say, unanimously deprecated the view that Mr. Booth could break the law if he disapproved of it, and I hope the House does not share the view of the gallant Admiral that the Committee did not act impartially.

MR. SPEAKER: The hon. and gallant Member does not move?

ADMIRAL FIELD: No, Sir.

\*(3.48.) MR. ROUND (Essex, N.E., Harwich): The gallant Admiral has objected to my serving on this Committee, because I had served previously on another Committee which dealt with a similar state of things; and I freely confess I may have been bound, to a certain extent, by the decision we came to upon that Committee, but I hope I was not unduly biased. The Home Secretary issued a very full Report of the way in which similar difficulties had been dealt with in various towns; and I can assure the gallant Admiral that it was only when I read this Report, in which the proceedings of the Torquay Committee were referred to, that I remembered I had been a.

Member of that Committee. All the Members of this Committee were then aware of it, and I did not think it incumbent upon me to make any statement in regard to it. The fact that I did not follow in the wake of the gallant Admiral was not simply because I had had a part in the Torquay decision. I came to a conclusion on the evidence before us, and if similar circumstances were to arise I think I should do the same again.

(3.50.) MR. BARTLEY (Islington, N.): As one who was outvoted with the gallant Admiral, I must say I regret that my hon. and gallant Friend has criticised the decision of the Committee as unfair. We are not going to try the case again. I only wish to say that though I do not think the decision was a wise one, I do not think it was arrived at unfairly.

Bill to be read the third time.

#### MESSAGE FROM THE LORDS.

That they have agreed to—

Weights and Measures (Purchase Bill), with an Amendment; Conveyancing and Law of Property Act (1881) Amendment Bill; Mortmain and Charitable Uses Act Amendment Bill; Changed from—Local Authorities (Acquisition of Land) Bill.

#### QUESTIONS.

##### INVALID NOMINATIONS FOR GUARDIANS.

MR. MACARTNEY (Antrim, S.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he is aware that at the election of Guardians for the Swanlinbar division of Bawnboy Union in March last, Messrs. Veitch and Montgomery were nominated for the office of Poor Law Guardians for the division, and that Mr. Montgomery withdrew before the date of election; and will he inquire whether any voting papers were issued, and, if not, what were the reasons for treating the nominations of Messrs. Veitch and Montgomery as invalid?

\*THE CHIEF SECRETARY FOR IRELAND (Mr. JACKSON, Leeds, N.): The nominations of the Poor Law candidates mentioned were rejected

by the Returning Officer as invalid for the reason that their names were jointly included in the nomination papers contrary to Article 10 of the Election Regulations, which provides that the number of candidates to be nominated in any electoral division by any one person entitled to nominate should not exceed the number of Guardians to be elected for such division. The fact that one of the persons irregularly nominated subsequently withdrew his name would not render valid the nomination of the remaining person. The nomination of Mr. Veitch by Mr. Montgomery was rejected as invalid, inasmuch as the latter was not a ratepayer in the electoral division concerned.

##### OLD DOCKYARD POLICE AND FREE QUARTERS.

MR. COBB (Warwick, S.E., Rugby): I beg to ask the Secretary of State for the Home Department whether Joseph Hoar is one of the members of the old Dockyard Police who were transferred to the Metropolitan Police in 1860, and, as such, entitled to free quarters; whether, in 1861, Joseph Hoar was ordered into Government quarters, and for some years had free quarters, but in August and September, 1868, and again from September, 1873, till he was pensioned in September, 1887, a deduction of 2s. 6d. a week was made from his pay; whether, during the period when these deductions were being made, other members of the old Dockyard Police were living in Government quarters free; and whether the amount of such deductions will be returned to Joseph Hoar?

THE SECRETARY OF STATE FOR THE HOME DEPARTMENT (Mr. MATTHEWS, Birmingham, E.): Joseph Hoar was one of the members of the old Dockyard Police who, in common with other members of the Dockyard Force, occupied free quarters up to August, 1868. They were not entitled to free quarters, but as a matter of fact they were not charged any rent for the premises in which they lived. On 22nd August, 1868, Hoar's quarters being required for other purposes, he was removed from them, and had for five years to provide himself with lodgings

at his own cost. During that time no deduction was made from his pay. In September, 1873, Hoar was again placed in quarters, and then from the following October a deduction of 2s. 6d. per week, the usual rate according to his rank, was made from his pay in respect of lodging allowance. The regulations fixing this deduction in the case of men who occupied quarters had been made in August, 1868. While these deductions were being made certain members of the old Dockyard Police were for a period still allowed to live in Government quarters free—namely, police who lived on Water Police ships and police engaged in connection with the administration of the Contagious Diseases Acts. This indulgence has now ceased. The amount of the lodging deduction cannot be returned to the ex-constable, and he has been repeatedly told so; and the whole matter has been explained to him in writing, and at a personal interview which he had with the Commissioner himself.

#### THE CYPRUS TRIBUTE.

MR. STANLEY LEIGHTON (Shropshire, Oswestry): I beg to ask the Chancellor of the Exchequer if he can inform the House what is the total amount derived from the taxation of Cyprus which has up to the present date been paid into the British Treasury, and what is the amount which has been paid out of moneys so received on account of the obligations of the French Government under the French guarantee for the payment of the Ottoman Guarantee Loan; what is the amount now standing to the credit of the Cyprus Tribute Fund; and whether the Government have yet matured any plan for the capitalisation of the Cyprus Tribute, or for relieving the island taxpayers of the burden, or for applying the sums now standing to the credit of the Cyprus Tribute?

\*THE CHANCELLOR OF THE EX-CHEQUER (Mr. GOSCHEN, St. George's, Hanover Square): It is misleading to say baldly that sums derived from the taxation of Cyprus are paid into the British Treasury. Cyprus as such pays nothing into the British Treasury; but under treaty she is obliged to pay yearly to Turkey about £93,000, repre-

senting the average tribute which Turkey drew from the island before it was placed under England. This is an obligation from which Cyprus cannot release herself, and from which England cannot release her. It represents no new charge on the island. It was paid by the island to Turkey under the Turkish rule, and it is paid to Turkey still. It is true that England obtains an incidental benefit from the arrangement. England and France guaranteed the Turkish Loan of 1855. Turkey does not pay from her own resources the interest of that loan. England and France must, therefore, pay the interest themselves, or seize the revenues which Turkey gave as security for the loan, or England must detain the money which Cyprus pays through her to Turkey. The duty of the British Government was clear in the matter. It was to act on the third of these alternatives. The tribute is nearly £93,000 a year. Of this £82,000 is applied to meet the interest of the loan jointly guaranteed by England and France. The surplus amount standing to the credit of the Cyprus Tribute is now £77,000, which we consider due to the Sinking Fund of the Turkish Loan, which Turkey does not provide. No plan such as the hon. Member describes has been matured, and, indeed, could not be matured without the consent of Turkey.

MR. STANLEY LEIGHTON: Can the right hon. Gentleman give the figures showing the whole amount of the Cyprus Tribute paid into the Treasury?

MR. WINTERBOTHAM (Gloucester, Cirencester): Will the right hon. Gentleman say whether Turkey does anything in return for this £93,000 to benefit the people who have to pay the money?

\*MR. GOSCHEN: No, Sir, nothing at all. It is an arrangement by treaty made when Cyprus was taken over by this country, but I may say that the grants in aid to Cyprus made by this country would form a large set-off against the money which Cyprus has had to pay to Turkey. My hon. Friend will see that if he multiplies the annual amount by the number of years it has been paid, he will easily be able to arrive at the gross amount paid, not



to the British Treasury as he said, but to Turkey as interest on the Guaranteed Loan.

MR. STANLEY LEIGHTON: Should the grants in aid be deducted from the sum mentioned by the right hon. Gentleman?

\*MR. GOSCHEN: The grants in aid have nothing to do with the tribute. It is due to Turkey, not to England. The grants in aid have been for the assistance of the island finances.

MR. STANLEY LEIGHTON: The right hon. Gentleman cannot state the total amount?

\*MR. GOSCHEN: It is simply a multiplication of the figures I have given.

MR. STANLEY LEIGHTON: By how many years?

\*MR. GOSCHEN: I have not it in mind just now. I will give it if my hon. Friend cannot otherwise ascertain.

MR. SUMMERS (Huddersfield): Are any negotiations taking place with the Sublime Porte as to the proposed conversion?

\*MR. GOSCHEN: There have been none for some years.

#### THE HON. P. G. NUGENT AND THE IRISH MAGISTRACY.

MR. DONAL SULLIVAN (Westmeath, S.): I beg to ask the Attorney General for Ireland whether the attention of the Lord Chancellor of Ireland has been directed to the case of the Hon. Patrick Greville Nugent, who was tried at the Sessions House, Clerkenwell, on Thursday, 12th May, for assaulting a young lady in a railway carriage, and was sentenced by Sir Peter Edlin to six months' imprisonment with hard labour, in view of the fact that Mr. Nugent is a J.P. and D.L. for the County Westmeath?

THE ATTORNEY GENERAL FOR IRELAND (Mr. MADDEN, Dublin University): I am informed he has been removed from those positions by the Lord Chancellor.

#### BALLYMORE POSTAL ARRANGEMENTS.

MR. DONAL SULLIVAN: I beg to ask the Postmaster General if he will explain why letters and newspapers posted at Mullingar at 9 p.m. are not delivered

at Ballymore, eight miles distant from the former town, until the second day following; whether the letters and papers for Ballymore carried by the limited mail (Irish and English) leaving Broadstone at 7.40 a.m. are not delivered in Ballymore until the following morning, owing to the fact that those letters and papers are detained at Moate, five miles distant from Ballymore, until the next morning; whether the Secretary to the General Post Office, Dublin, has received a memorial from the people of Ballymore complaining of the great inconvenience and annoyance caused by the delay in forwarding their letters brought to Moate by the limited mail, and whether he will inquire into this grievance with the object of having it removed?

THE POSTMASTER GENERAL (Sir J. FERGUSSON, Manchester, N.E.): Letters and newspapers for Ballymore posted at Mullingar at 9 p.m. would be just too late for the same night's mail. If posted before 8.45 p.m., they would be forwarded at once, and delivered next morning. Letters included in the morning mail from Broadstone are sent on as far as Moate, which is the post town for Ballymore; but they are not despatched to their destination the same day, because there is only one mail a day—in the early morning—to Ballymore. The question of establishing a second mail in the day has been considered; but it is found that the revenue from the letters would not warrant the expenditure involved.

#### TELEGRAPH FACILITIES AT BALLYMORE.

MR. DONAL SULLIVAN: I beg to ask the Postmaster General whether he is aware that the inhabitants of Ballymore, County Westmeath, have memorialised the Secretary of the General Post Office, Dublin, to open a postal telegraph station in that town; whether, as the telegraph wires are laid into Moate, five miles from Ballymore, the expense of connecting the two towns by telegraph could be carried out at little cost, as the business done at Ballymore would be considerable; and whether he would recommend that a telegraph station should be opened there?

SIR J. FERGUSSON: Inquiry has been made both here and in Ireland, but it cannot be found that any memorial has been received from the inhabitants of Ballymore for an extension of the telegraph to that place. I will call for reports on the question of establishing a telegraph office there, and will let the hon. Member know the result.

#### THE STATUTES OF 1882.

MR. WILLIAM H. CROSS (Liverpool, West Derby): I beg to ask the Secretary of State for the Home Department whether the official edition of the Statutes, passed in the year 1882, is now out of print; whether this is the case with any, and what, other volumes of the Statutes published within recent years; when may the issue of the new edition be expected; when will the official edition of the Statutory Rules and Orders, made in the year 1891, be published; and whether any provision can be made to secure the publication of these annual volumes early in the year?

MR. MATTHEWS: No official edition of the Statutes of 1882 was published. The first edition of Statutes published officially was of the year 1887. Since that time the only volume out of print is that of the year 1888. A reprint of this was ordered in December last, and will shortly be ready for issue. The final corrected proof of the Statutory Rules and Orders, made in the year 1891, and the type were destroyed in the recent fire on the premises of Messrs. Eyre and Spottiswoode. In consequence, the editor has been compelled to do much of the work a second time, and the book has to be entirely reset, but the work will be published as soon as possible. The Statute Law Revision Committee have made arrangements which it is hoped will result in the annual volumes appearing as early in the year as is consistent with their comprising all the Rules and Orders issued up to the last day of the preceding year.

#### MEDICAL OFFICERS IN INDIA.

SIR G. HUNTER (Hackney, Central): I beg to ask the Under Secretary of State for India whether the advantages conferred on the Medical Staff by

Royal Warrant, dated 7th August, 1891, as regards rank and title, pay and allowances, have been extended to India; will he explain why, in that country, the pay and allowances of Surgeon-Captains for the first five or six years of their service are only those of subalterns, and why the rank of Brigade Surgeon, created in 1879, has hitherto been financially ignored so far as India is concerned; and what principle has been adopted in fixing the rate of pay of Medical Officers in India with reference to the rates adopted at home?

THE UNDER SECRETARY OF STATE FOR INDIA (Mr. CURZON, Lancashire, Southport): The advantages of the Royal Warrant have been extended to India; it made no change in the pay and allowances of the Medical Staff. When the relative rank of the medical services was altered and the grade of Brigade Surgeon introduced by the Royal Warrants of 1879-80, the Secretary of State for India explicitly declined to sanction any increased charge on the revenues of India by reason of those Warrants, and the present Secretary of State has no intention of departing from that decision. The rates of pay are based partly on rank and partly on length of service, but have no direct relation to the rates in force at home, nor do they vary with any variation of those rates.

#### LARNE WORKHOUSE.

MR. PINKERTON (Galway) (for Mr. McCARTAN, Down, S.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland with reference to the Report of Colonel Spaight on the state of the Larne Workhouse, whether he is aware that nothing has yet been done to provide proper assistance for the infirm nursing; and whether, considering that there is an average number of seventy inmates in the infirmary there, he will advise the appointment of a paid assistant instead of depending on pauper assistants, who leave so often that they cannot be relied on?

MR. JACKSON: The objections of the Local Government Inspector referred to do not appear to have been against the employment of inmates of this Union in assisting the infirm nursing; but against these assistants

being taken away from work in the laundry except when they could be conveniently spared. In the week ended the 7th inst., there were fifty-seven patients in the infirmary. It is the usual practice in workhouses in Ireland that the inmates that are capable of doing so should afford assistance to the paid nurses, and there does not appear to be anything in the circumstances of the Larne Workhouse which would render it necessary for the Local Government Board to interfere with the discretion of the Guardians in this matter.

#### THE KEW BULLETIN.

MR. JOSEPH CHAMBERLAIN (Birmingham, W.): I beg to ask the First Commissioner of Works whether it is the intention of Her Majesty's Government to continue the publication of the *Kew Bulletin*, and if so, why it has been temporarily suspended; and what is the net annual cost to the nation of this publication?

THE FIRST COMMISSIONER OF WORKS (Mr. PLUNKET, Dublin University): It is the intention of the Government to continue the publication of the *Kew Bulletin*, which we believe is much valued by many persons both in this country and the colonies. The delay in the issue of this month's number was due to some temporary difficulties, but it will, I hope, be regularly brought out in future. There is at present a small annual loss of about £30 a year on the publication of the *Bulletin*.

#### BALLINAMORE POSTAL SERVICE.

MR. KNOX (Cavan, W.): I beg to ask the Postmaster General whether he has taken into consideration a memorial, signed by Mr. Philip M'Gauran on behalf of a committee of traders in Ballinamore, with reference to the postal service to that town; and whether he will state the result of such consideration?

SIR J. FERGUSSON: The memorial referred to has been considered, and it has been decided to establish a day mail service to Ballinamore, as desired, by means of the Cavan, Leitrim and Roscommon Light Railway.

#### INSPECTION OF WEIGHTS AND MEASURES IN BELTURBET.

MR. KNOX: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he is aware that there has been no inspection of weights and scales in Belturbet for two years; and whether he will consent to the appointment of an ex-officio inspector of weights and measures in that town?

MR. JACKSON: The Constabulary Authorities report that arrangements have been in progress to fill the vacancy for an ex-officio inspector of weights and measures at Belturbet. A properly qualified constable has been already selected, and the appointment will, it is expected, be made in a few days.

#### PROPOSED PIER AT FAIRNBOY BAY.

MR. JORDAN (Clare, W.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland what steps have been taken to carry out the presentment of the Grand Jury of the County of Clare, to erect a pier at Fairnboy Bay, for the benefit of the local fishermen; and when will the necessary works be commenced and prosecuted to completion?

MR. JACKSON: The matter referred to is not under the control of the Executive Government; but the Secretary to the Grand Jury reports that the erection of the pier was given to a contractor at last Assizes, who is proceeding with the work, and hopes to have it finished in about two months.

#### TELEGRAPHIC COMMUNICATION WITH LOUISBURG.

SIR T. ESMONDE (Dublin County, S.) (for Mr. WILLIAM O'BRIEN, Cork County, N.E.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he has received a resolution of the Westport Board of Guardians, impressing upon him the importance of having the town of Louisburg, the nearest town to the best fishing grounds on the Mayo coast, connected by telegraph with the Irish and English markets, and urging him to use his influence with the Congested Districts Board to assist in supplying the necessary local guarantee to the Post Office; and whether, having regard to the extreme over- the West-

port Union and its inability to bear any additional local burden, he will make a representation to the Congested Districts Board upon the subject?

MR. JACKSON: The proposed telegraph extension to Louisburg is a matter for the consideration of the Postmaster General, and appears to have been dealt with by him in reply to a question put by the hon. Member on 2nd inst. I am not aware of circumstances having been brought before the Congested Districts Board which would justify them in guaranteeing the proposal which would seem to involve a sum estimated at £62 a year.

#### PROMOTION OF RESIDENT MAGISTRATES.

MR. KNOX: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland what is the rule for promotion from a lower to a higher class of Resident Magistrates; why Messrs. Holt Waring, J. C. Gardner, W. J. Paul, F. B. Henn, and N. L. Townshend were promoted over the heads of numerous other officials of greater seniority; and why Mr. J. B. Irwin was promoted from twenty-eighth in the second class to the first class?

\*MR. JACKSON: The general rule bearing on promotions has been already stated more than once in this House, and I would refer the hon. Member to a reply given to the hon. Member for East Clare, who put a question on this subject on 26th March, 1888. The promotions referred to in the second paragraph were made by the Lord Lieutenant after a full consideration of the public claims and qualifications of the gentlemen mentioned; and as regards the gentleman referred to in the last paragraph, with but few exceptions—and nearly all of these approaching the age limit when they could retire—those on the list above him had only two years' more service as Resident Magistrates, while he had twenty-two years' previous public service as a Constabulary officer. Successive Governments have laid down the rule, and it has been recognised by almost every Department of the public service, that seniority is only to be taken into account where other claims are equal, and, failing such equality, preference is to be given to merit and capacity.

*Sir T. Esmonde*

#### REGISTRATION OF HOLDINGS IN IRELAND.

MR. KNOX: I beg to ask the Attorney General for Ireland whether he is aware that on purchasers under the Land Purchase Acts applying to the Clerk of the Crown and Peace for the registration of their holdings under the Local Registration of Title (Ireland) Act, 1891, they receive in some cases a notification that they must employ a solicitor to make the application; whether it was the intention of the framers of that Act that any costs should be incurred by owners in connection with first compulsory registration; whether the Rules made under the Act fix a scale of costs by which the solicitor's fee in the simplest cases is to be £2 2s., being more than the annual payment made to the Land Commission by many cottier purchasers; and whether he will consider the possibility of prescribing a simple form of application for those cases where there has been no change of ownership since the vesting orders were made by the Land Commission, and directing the Clerks of the Crown to supply such forms to intending applicants free of charge?

MR. MADDEN: I have not yet received a Report on the subject; but I am making the necessary inquiries.

#### CORK POOR LAW ELECTIONS.

MR. PATRICK O'BRIEN (Monaghan, N.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether the Local Government Board have yet fixed the date for holding the sworn inquiry into the election of the several members of the Cork Board of Guardians alleged to have been returned by the forgery of proxy votes; whether he is aware that certain candidates who were defeated in the last election are prepared to prove wholesale forgery of votes against persons who were elected, and that delay in holding the inquiry may result in some of the alleged forgers absconding, and thus defeat the ends of justice; and whether, under all the circumstances, he will cause the inquiry to be held at once?

\*MR. JACKSON: The Local Government Inspector has been already instructed to hold inquiries in four other



cases of disputed Poor Law elections. So soon as these are closed the cases referred to in this question will be investigated.

#### ERASMUS SMITH'S ENDOWMENTS.

MR. JOHNSTON (Belfast, S.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether a draft scheme has been submitted to the Lord Lieutenant by the Educational Commissioners which proposes that Erasmus Smith's funds shall be managed by a neutral or mixed Governing Body, and that the benefits of the endowments should be available for all religious denominations; whether, while this draft scheme, altering the founder's basis, has been endorsed by Judge O'Brien Monsignor Molloy, President of the Roman Catholic University, and Professor Dougherty, a majority of the Commissioners, it has been strongly objected to by Lord Justice Fitzgibbon and Dr. Traill, the other Commissioners; and whether, considering that Erasmus Smith, who founded the school in 1682, declared his end to be the propagation of the Protestant faith, he will recommend to His Excellency the Lord Lieutenant to withhold his sanction from the scheme?

\*MR. JACKSON: I am informed that the draft scheme for the future government and management of the Erasmus Smith Endowments, as published on the 14th inst., proposes that the endowments shall be managed by a neutral or mixed Governing Body, and that the benefits shall be available for all religious denominations. The draft scheme has been prepared by the three Commissioners named in the question. Lord Justice Fitzgibbon has stated that he cannot, as at present advised, accept the scheme as drafted, and Dr. Traill strongly objects to it. For a period of two months after the publication of the draft, objections and amendments may be lodged with the Commissioners. At the expiration of this period it will become the duty of the Judicial Commissioners to hold a public inquiry at which to consider the objections and amendments submitted, and thereupon, if they think fit, they may frame a scheme in such form as they deem expedient, and submit it for the approval of the Lord Lieutenant in Council.

#### IMPRISONMENT OF CAPTAIN JONES AT HAMBURG.

MR. JOSEPH CHAMBERLAIN: I beg to ask the Under Secretary of State for Foreign Affairs whether Her Majesty's Government are aware of the circumstances under which Captain W. Jones, a British subject, is now kept imprisoned by the authorities of Hamburg; whether he is aware that the ship of which he was master capsized while being towed to the docks at Hamburg for repairs; that at the time of the accident the ship was in the charge of Captain Potter, the representative of the owners; that Captain Potter has since absconded, and Captain Jones, who was not responsible for the accident, has been put into prison in his place; and that the owners have offered a thousand pounds as bail for Captain Jones's appearance, but that the offer has been rejected; and whether, under these circumstances, Her Majesty's Government can make any representations which may lead to the immediate release of Captain Jones on bail or otherwise?

THE UNDER SECRETARY OF STATE FOR FOREIGN AFFAIRS (MR. J. W. LOWTHER, Cumberland, Penrith): The facts referred to in the right hon. Gentleman's question have been communicated to the Foreign Office. It is impossible at present to say whether any ground exists for diplomatic representation, as the case seems to have been dealt with by the competent legal tribunals. The Consul General at Hamburg has been instructed to inquire and report upon the matter.

#### THE PATENT OFFICE JOURNAL.

MR. JAMES ELLIS (Leicestershire, Bosworth): I beg to ask the President of the Board of Trade what number of copies of the *Illustrated Journal of the Patent Office* was sold in 1891?

\*THE PRESIDENT OF THE BOARD OF TRADE (SIR M. HICKS BEACH, Bristol, W.): The number of copies of the *Illustrated Journal of the Patent Office* issued to subscribers in 1891 was 25,428, and the number otherwise sold in the same year—as far as can be ascertained without an examination of

each daily voucher — was 16,250, making a total of nearly 42,000 copies sold during the year.

#### THE SHANNON FISHERS AND THE CONSERVATORS.

**MR. PATRICK O'BRIEN:** I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he is yet in a position to state how the Government propose to deal with the Limerick Fisheries Conservators' bailiff who shot two fishermen named Cronin and M'Inerney on the River Shannon on the 8th instant; and whether an inquiry will be held into the management of the fisheries and the composition of the Board of Conservators?

**\*MR. JACKSON:** As I have already stated, legal proceedings against the Inspector and Water Bailiffs are pending. The inquiry in regard to the proposed use of enlarged nets on the Shannon will be held by the Fishery Inspectors as soon as practicable. They have no power to inquire into the constitution of the Board of Conservators, which is regulated by Statute.

#### CAPITATION GRANT TO IRISH SCHOOL TEACHERS.

**MR. BYRNE (Wicklow, W.):** I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether the Excise and Customs grant of £78,000 to the national school teachers for the year ended 31st March, 1892, has yet been divided; whether he can state the amount of the capitation grant per head, and, if it has not yet been divided, what is the cause of the delay; and can he state when it will be distributed?

**\*MR. JACKSON:** The grant of £78,000 to the national school teachers of Ireland has been long since distributed, except in a few cases where the circumstances do not render it possible to yet pay the teachers, and except with regard to the payments to the Poor Law Guardians which are proceeding. The amount of the capitation distributed amongst the teachers was at the rate of three shillings and fourpence per child in average daily attendance.

*Sir M. Hicks Beach*

#### DESPATCH OF LETTERS FROM KNOCKANANNA.

**MR. BYRNE:** I beg to ask the Postmaster General whether he can state the exact financial position of the post office at Knockananna, County Wicklow; the amount of income accruing from its working; the weekly wages paid to the messenger; and if it is working at a loss, what guarantee would be required from the residents of Knockananna to save the Department from loss and pay the messenger seven shillings a week for calling every day at 5 p.m. and carrying the mails to meet the 6 p.m. post at Hacketstown?

**SIR J. FERGUSSON:** There is no post office at Knockananna, but a wall box is provided in which letters can be posted for despatch to Hacketstown in the morning. The messenger who delivers the letters receives 5s. a week, or £13 a year, and the revenue falls short of this expense by £1 11s. a year. Assuming that the messenger would be willing to make a collection of letters at Knockananna at 5 p.m. for wages of seven shillings instead of five shillings a week—which is very doubtful—the payment to be made under a guarantee would be £5 4s. 3d. for the first year.

#### EARLY OPENING OF KEW GARDENS.

**MR. EDWARD HOLDEN (Walsall):** I beg to ask the First Commissioner of Works if he will explain why Kew Gardens are not open to the public until 12 noon, and whether there is any sufficient reason, and, if so, what and why, such places should not be opened some hours earlier; and in view of the fact that the official Guide to the Arboretum and Botanical Gardens at Kew has been for some years out of print, that plans are issued and sold containing reference to this Guide, that daily inquiries are made for it, will he state what steps have been taken either for a reprint or new edition?

**\*MR. PLUNKET:** The reason why Kew Gardens are not open to the public until noon is that the earlier hours are regarded as a time set apart for students, but anyone desiring admission for scientific, artistic, or pro-

professional purposes can easily obtain an order from the Director. A new edition of the Guide is now nearly ready, and will be issued, we hope, in the course of the summer. It had become necessary to practically re-write it, for the purpose of making additions to it.

MR. JOHN ELLIS (Nottingham, Rushcliffe): The right hon. Gentleman gave a precisely similar answer about fourteen months ago.

\*MR. PLUNKET: About the Guide?

MR. JOHN ELLIS: Yes.

\*MR. PLUNKET: Well, I hope the hon. Member who asks the same question now will be more fortunate.

#### NEW POSTAL ORDER REGULATIONS.

MR. EDWARD HOLDEN: I beg to ask the Postmaster General if he will take the opinion of the commercial community before he finally decides

“that postal orders shall not in future be paid even through a bank unless the name of the payee be first inserted in the body of the document”;

is he aware of the great number of names that are incorrectly written in these postal orders; and how does he propose to get over this difficulty if he enforces this new regulation?

\*SIR J. FERGUSSON: Persons purchasing postal orders are required under the Postal Order Act to insert in the body of the order the name of the payee before parting with the order. And as it has been found that stolen postal orders have been negotiated through bankers, it has become necessary to call the attention of purchasers of postal orders to the rule. It follows that the Post Office cannot pay postal orders presented by bankers unless the rule has been complied with. The rule that postal orders presented for payment by bankers need not be receipted by the payees has not been altered. The correct spelling of the name is not so important as the clue obtained. There is no such difficulty as that anticipated in the last paragraph; and no expression of feeling on the subject could warrant a continued neglect of a statutory requirement.

MR. HOLDEN: Will the new regulations stop these postal orders being passed from hand to hand?

\*SIR J. FERGUSSON: Yes, the new regulations will prevent their being passed from hand to hand. And I am bound to point out that it was objected to the introduction of postal orders by the skilled officers that an increase in the number of stolen letters would be occasioned; but those who advocated the introduction urged that the insertion of the name of the payee, compelling the thief to commit an act of forgery in order to realise the value, would have a deterrent effect. The provision was much discussed in the House of Commons. The right hon. Gentleman the Member for Midlothian (Mr. W. E. Gladstone) on 22nd July, 1880, said—

“There was one most important condition . . . with regard to the insertion of the name of the payee, and that insertion was most important in two points of view—first of all in providing a security against forgery, because as they knew very well from an enormous experience in the transmission of railway dividends, the forgery of signatures was generally regarded as a most serious matter indeed; and, second, as preventing the instrument from becoming an instrument of currency.”

The practice of sending orders in blank has become so common that a measure to enforce the Act of Parliament is regarded as a grievance; but the cases of forgery and fraudulent negotiation of postal orders have amounted in a single year to 2,326, in many of which not one but many orders have been stolen, and in that year thirty-six persons in the service were convicted of stealing or negotiating such orders, as well as several not in the service. The growth of such cases has been constant and enormous. Moreover, it is well known that in order to get at letters containing postal orders a large number of other letters are stolen and destroyed.

MR. BARCLAY (Forfarshire): May I ask what will prevent postal orders being passed from hand to hand if the name is written in?

\*SIR J. FERGUSSON: Well, Sir, postal orders are not to be negotiable, and as long as they are not drawn by the person whose name is inserted there must be a great risk of theft.

## PETROLEUM IN THE SUEZ CANAL.

MR. CRAIG (Newcastle-upon-Tyne): I beg to ask the Under Secretary of State for Foreign Affairs if he can say whether the Government experts, who advised the British directors when the regulations for transport of petroleum in bulk through the Suez Canal were under the consideration of the Company, acquainted themselves, by personal observation, with the exceptional conditions and circumstances under which this traffic must, if permitted, be conducted?

MR. J. W. LOWTHER: I am not sure that I understand what the hon. Member means by "personal observation." If the hon. Member means to inquire whether the Inter-departmental Committee visited the Suez Canal as a Committee, the answer is in the negative, although several of the members of it are well acquainted with the locality. The members of the Committee, whose names I gave to the hon. Member on Monday last, are well acquainted with the conditions required for the carriage of petroleum in bulk, and with the circumstances under which it would be carried through the Suez Canal.

MR. RADCLIFFE COOKE (Newington, W.) (for Sir R. TEMPLE, Worcester, Evesham): I beg to ask the Under Secretary of State for Foreign Affairs whether the Government have communicated, or will communicate, to the Egyptian Government, the protest made by a body of British ship-owners in respect to the provisional regulations which propose to permit the transport of petroleum in bulk through the Suez Canal, together with the Reports of Sir Frederick Abel and Mr. Boverton Redwood, in reference to the safeguarding of the Canal against interruption from possible explosions?

MR. J. W. LOWTHER: The Suez Canal is not under the direction of the Egyptian Government, but of an independent Company, with whose decisions, so long as they are in accordance with their charter, the Egyptian Government have no power of interference. No object would, therefore, be served in approaching the Egyptian Government on the subject. The pro-

test and the Reports referred to have been transmitted to the British directors of the Company.

## THE DIFFERENCE IN MAGISTRATES' DECISIONS.

MR. PATRICK O'BRIEN (for Mr. CUNINGHAME GRAHAM, Lanark, N.W.): I beg to ask the Secretary of State for the Home Department if his attention has been drawn to the decision of the Magistrate of the Southwark Police Court, given on 4th November, 1891, by which, under Statute 6 & 7 Vic., c. 86, s. 33, he fined a conductor in the service of the London General Omnibus Company for allowing "a person beside himself to ride on the steps and in the place provided for him," contrary to the Statute; also to the decision of the Magistrate at the Marlborough Street Police Court, on 19th February, 1892, dismissing the summons issued under the same section of the same Statute, 6 & 7 Vic., c. 86, s. 33, against a conductor of the London Omnibus Carriage Company, and characterising the summons as a "vexatious proceeding," and fining the plaintiffs £2 2s.; and also to the refusal of a summons by the Magistrate at Bow Street Police Court for the same offence, under the same section of the same Statute, on Saturday, 27th February, 1892; and is there any authority, other than that of an expensive reference to a Superior Court, such as that of the Secretary of State, or the Law Officers of the Crown, or the Chief Magistrate at Bow Street, to which an appeal might be made in these different interpretations of the law, so as to bring them into uniformity of practice and action?

MR. MATTHEWS: I am informed by the Chief Magistrate that the different decisions which appear to have been given by Magistrates in the several cases referred to by the hon. Member were not produced by any difference of opinion among the Magistrates as to the law, but depended upon a considerable difference in the facts. The Chief Magistrate also informs me that in practice, when there is a difference of opinion among the Magistrates upon a point of law, the matter is brought before all the Magistrates at the next quarterly meeting,



and in almost all cases a uniformity of action is arrived at as a result of the discussion which takes place.

#### ADMIRALTY CONTRACT FOR SERGE.

MR. PATRICK O'BRIEN (for Mr. CUNINGHAME GRAHAM): I beg to ask the Secretary to the Admiralty if he can state the date of the expiry of the contract for serge with Messrs. John Berry and Sons?

THE SECRETARY TO THE TREASURY (Sir J. GORST, Chatham) (who replied): The Admiralty at the present time has no contract with Messrs. John Berry and Sons.

#### WEXFORD MAIL SERVICE.

MR. DONAL SULLIVAN (for Mr. THOMAS HEALY, Wexford, N.): I beg to ask the Postmaster General if his attention has been drawn to a reply given to a deputation by the late Mr. Raikes, when he admitted that the Wexford commercial community had a substantial grievance in the inefficiency of their mail service, and promised to attach a sorting van to the mid-day mail train, and also to recommend the Treasury to grant a certain sum for the acceleration of said train; and if any steps have since been taken to fulfil the latter part of this promise?

SIR J. FERGUSSON: The late Postmaster General, I am informed, did express himself as desirous of accelerating the day mail train to and from Wexford, but the negotiations with the Railway Company were unsuccessful. By sorting the letters on the way, and revised arrangements for the delivery in Wexford, a considerable improvement has been effected; but for an acceleration of the speed of the mail trains, the Railway Company ask a payment far in excess of what the receipts would justify.

#### LABOURERS' COTTAGES IN IRELAND.

MR. ARTHUR O'CONNOR (Donegal, E.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he is aware that representations signed by ratepayers of the following five electoral divisions, Borris in Ossory, Clonmore, Errill, Moneenalassa, Rathsaren, and Templebarry were lodged with the Roscrea Board of Guardians for the erection of twenty-three

labourers' cottages; that in March last the said Board by a majority, which was chiefly made up of *ex-officio* Guardians decided on only building four new cottages, giving as the only reason for rejecting the other nineteen "that the owners of the land from whom the sites were proposed to be taken objected"; and whether, considering that thirteen of these cottages have been condemned by the medical sanitary officers as unfit for human habitation, the Local Government Board will, under the powers conferred on them by Section 4 of the Labourers (Ireland) Act, 1891, instruct their Inspector, when holding an inquiry into the four which have already been passed by the Roscrea Board, to also hold a local inquiry concerning the nineteen cottages which the said Guardians have rejected?

\*MR. JACKSON: The facts are as stated in the first paragraph of the question. The Local Government Board have no information as to the names of the Guardians who voted in the majority. But in no case does the ground for rejecting a cottage as recorded on the Minutes correspond with that quoted in the question, and the case of each cottage was considered separately. The Local Government Board are unable to say whether thirteen of the existing cottages have been condemned. No complaints have been received by the Local Government Board from the persons who signed the representations rejected by the Guardians. In the absence of such complaint, they are not in a position to consider the suggestions in the last paragraph.

#### CENTRAL TELEGRAPH OFFICE CLERKS AND WHIT MONDAY.

MR. PINKERTON (for Mr. McCARTAN): I beg to ask the Postmaster General whether he will give instructions that clerks in the Central Telegraph Office due to return from annual leave on Whit Monday, 6th June, shall be allowed to resume duty on Tuesday, 7th June, the Bank Holiday being added to their annual leave?

SIR J. FERGUSSON: The Central Telegraph Office is not closed on Whit Monday. All, therefore, that can be

done is to let as many as possible be off duty on that day, and to give to those who are not off duty a holiday on some other day, or else double pay. The question who shall take Whit Monday as a holiday is determined by ballot, and the balloting takes place before they leave for their holidays. It follows, therefore, that to let those who are due to return on that day absent themselves until the day following would give them an undue advantage over others.

#### LICENSING OF MILITIA CANTEENS.

Mr. FELL PEASE (York, W.R., Cleveland): I beg to ask the Financial Secretary to the War Office under what rules or regulations special licences are granted by special permit from the War Office for keeping canteens while the Militia is training; if such canteens are permitted to be open on Sundays; and on whose application one has been granted at Redcar?

THE FINANCIAL SECRETARY TO THE WAR OFFICE (Mr. BRODRICK, Surrey, Guildford): A canteen is licensed by the Local Authorities after the sanction of the Secretary of State has been obtained. A canteen so licensed should only be opened on Sundays during the usual hours; and no application has been made to the War Office as regards Redcar. These remarks do not apply to a canteen formed by a regiment for its own use, which does not require any special authority or licence.

#### SHOOTING OF HOMING PIGEONS.

Mr. LOGAN (Leicester, Harborough): I beg to ask the Secretary of State for the Home Department if his attention has been directed to the systematic shooting of homing pigeons, often very valuable birds, and if he is aware that in many places the police do not render assistance in protecting such pigeons, deeming it no portion of their duty; and if he will give such instructions as will cause the police throughout the country to take the same interest in the protection of homing pigeons as in the preservation of partridges and pheasants?

Mr. MATTHEWS: No, Sir, I have no information to support the statements in the first paragraph of the question, or which calls for any official Circular to be addressed to Local

Authorities. It is not for me but for the Local Authorities to give instructions, if any be required, to the police, who are under their control.

#### FREDERICK HUMPHREYS' VACCINATION CASE.

Mr. LOGAN: I beg to ask the Secretary of State for the Home Department if he is aware that, at the Bye Petty Sessions, held on the 30th December, 1891, Frederick Humphreys was fined 10s. and costs for not having had his child vaccinated, which fine and costs he paid under protest, as he had not been served with a notice since a previous conviction for the same offence; and, as the Queen's Bench Division of the High Court has decided that a second conviction without a second notice is illegal, will he order the convicting justices to return to Frederick Humphreys the fine and costs imposed?

Mr. MATTHEWS: Yes, Sir, I am aware of the circumstances of the case to which the hon. Member refers. I presume that the hon. Member, when he speaks of a notice, means the fresh order which the Queen's Bench Division has decided must be made each time before proceedings are taken. This decision of the High Court was not given until February last; and previous decisions of the High Court supported the view which was generally taken by magistrates, and was followed in Humphreys' case. I do not see any way to re-opening cases decided before the decision in "*Reg. v. Pink.*"

#### THE CLAREMORRIS AND COLLOONEY RAILWAY.

Mr. JORDAN: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland if an arrangement has yet been arrived at between the Government and the Waterford and Limerick Railway Company, in reference to the finishing and working of the Claremorris and Collooney line; and, if not yet, will he say if there be any likelihood or possibility of perfecting the proposed contract with that line?

Mr. JACKSON: I understand the agreement has been signed between the Treasury and the Company.

*Sir J. Fergusson*

## BARRACKS IN IRELAND.

MR. JORDAN: I beg to ask the Financial Secretary to the War Office if the Government, in pursuance of their new policy, have yet succeeded in purchasing building ground in Londonderry on which to build the proposed new barracks; if so, will he state the cost of purchase per acre, and the whole amount; and how that price compares with the cost at which ground might have been obtained in Enniskillen?

MR. BRODRICK: The ground required in Londonderry has not been purchased, so I fear I can give no information as to the price.

MR. JORDAN: The Government never intended to purchase this land for the use of barracks.

MR. BRODRICK: This arrangement was made on military grounds, and the intention of the Government was to purchase land in the most desirable position.

MR. JORDAN: Does the hon. Member know what is the upset price in Enniskillen?

MR. BRODRICK: I cannot answer that question at all.

## AFFAIRS IN UGANDA.

MR. BRYCE (Aberdeen, S.): I beg to ask the Under Secretary of State for Foreign Affairs when the two Reports from Captain Lugard to the British East Africa Company, regarding Uganda, which have been promised to the House, will be presented; and whether Her Majesty's Government have any information, subsequent to the date of Captain Lugard's Reports, bearing on the troubles reported to have existed in Uganda, which they can communicate to the House? And I should also like to ask him whether, as I hope he is, he is in a position to contradict a statement which has appeared in the papers this morning, reporting a sanguinary conflict between Protestants and Catholics, in which the Protestants are reported to have used rifles supplied to them by the agent of the Company?

MR. J. W. LOWTHER: I have not seen the report to which the right hon. Gentleman refers. I presume it comes from the same source as former reports

of the same character, a source which I described last week in reply to a question addressed to me by the right hon. Gentleman the Member for Derby (Sir W. Harcourt). We have had no information through the English sphere of influence from Uganda since the time of the outbreak of the troubles in Uganda, which, I believe, occurred about the end of January. The last reliable information from Uganda is of the 8th January, on which date Mr. Gibson left the place. He has now arrived at the coast with a small number of Egyptian refugees and followers. A week before Mr. Gibson's departure from Uganda Captain Lugard had returned there. He had fallen in with Selim Bey and one thousand of the troops formerly under Emin Pasha. The troubles at Uganda seem to have occurred at the end of January, and with regard to them we have at present no reports. The reports referred to in the first paragraph of the question together with other papers will, it is hoped, be laid on the Table next week.

## THE COLOUR VISION REPORT.

MR. CRAWFORD (Lanark, N.E., for Sir H. Roscoe, Manchester, S.): I beg to ask the President of the Board of Trade whether the Report of the Colour Vision Committee of the Royal Society has been received; and, if so, whether he will lay it upon the Table of the House?

\*SIR M. HICKS BEACH: Yes, Sir; I have received the Report, and will at once present it.

## THE JURIES ACT.

MR. LLOYD MORGAN (Carmarthen, W.): I beg to ask the First Lord of the Treasury whether, having regard to the circumstances of the repeal of the 22nd section of the Juries Act, 1870, and to the great inconvenience and expense which petit jurors have to incur, he will introduce a Bill to provide for their remuneration?

THE FIRST LORD OF THE TREASURY (Mr. A. J. BALFOUR, Manchester, E.): The matter is receiving the attention of the Government, with every desire to recognise this as a just grievance which requires consideration. As to the amount involved as a charge on

the Exchequer I cannot say, and it is impossible to deal with this matter by legislation in the course of the present Session.

#### DANGERS IN THE RIVER FERGUS.

MR. COX (Clare, E.): I beg to ask the Secretary to the Treasury, with reference to the fact that the Irish Board of Works have issued a notice cautioning mariners when entering or leaving the River Fergus that, a breach through which the tide flows having been made in the Clare slob embankment, vessels coming within the influence of the current are liable to be drawn through the breach or to be stranded on the opposite shore, whether he is aware the Clare Castle Harbour Trustees have repeatedly since 26th January last called the attention of the Board of Works to the dangerous condition of the river, owing to this breach, without any attention having been paid to their representation; and what action is intended to be taken to secure the safe navigation of the river?

SIR J. GORST: The terms of the notice cautioning mariners are given in the question. The Board of Works are advised that they can take no further steps than issue the notices referred to.

MR. COX: Will the Government take any action at all with respect to this matter, or as to the navigation of this river, the obstruction in which is entirely owing to the blundering and incapacity of the Irish Board of Works?

SIR J. GORST: I think the hon. Member takes an unnecessarily strong view of this matter. It is only a current against which mariners are warned.

MR. COX: I do not think I take an exaggerated view of the case. The notice says that vessels are liable to be drawn into the breach or stranded on the opposite shore.

SIR J. GORST: I think the hon. Member does exaggerate the importance of the affair.

#### SUPPLEMENTARY QUESTION.

MR. MACNEILL (Donegal, S.): On Question 21, Mr. Speaker, I had a

*Mr. A. J. Balfour*

supplementary question to the Chief Secretary; but as my hon. Friend has not put the question, I suppose according to your ruling on a previous occasion, the supplementary question is out of order.

#### BUSINESS OF THE HOUSE.

MR. JOHN ELLIS: I beg to ask the First Lord of the Treasury when, in view of the unusual arrear in which Supply now is, he proposes to enable the House to discharge its function of reviewing the conduct of the administrative departments by regular opportunities of considering the Estimates? And I hope he will allow me to remind him of what he said in the discussion on the subject on the 12th March as to the importance of discussions of this kind.

MR. A. J. BALFOUR: I am conscious of the advantage to which the hon. Gentleman refers, but I think it is inconvenient to interpose a discussion on the Estimates in the middle of a continuous debate upon legislation. When we have completed the stage of the more advanced Bills with which this House is now concerned we may proceed with Supply, and the hon. Gentleman will be able to discuss anything he desires.

MR. DALZIEL (Kirkcaldy, &c.): I beg to ask the First Lord of the Treasury whether the House will adjourn for the Whitsuntide Recess before or after Derby Day?

MR. A. J. BALFOUR: It is somewhat early to ask that question yet. If the hon. Member will put a question to me next week I shall be able to give him an answer. Perhaps it may be for the convenience of the House if I state that to-morrow the House will meet at a quarter past ten for the purpose of receiving the Royal Assent to various Bills that have been passed. I also give notice that to-morrow I shall move that until the conclusion of the Clergy Discipline (Immorality) Bill, the Standing Committee on Law have leave to sit every day during the Sitting, notwithstanding any adjournment of the House.



## MOTION.

## NAVAL KNIGHTS OF WINDSOR BILL.

## BILL PRESENTED. FIRST READING.

Motion made, and Question proposed,

"That leave be given to bring in a Bill to amend the existing constitution of the Naval Knights of Windsor."—(*Lord G. Hamilton.*)

SIR W. LAWSON (Cumberland, Cockermouth): I wish the noble Lord would give us some explanation as to this Bill. It is somewhat unusual to bring in a Bill of this kind at this period of the Session, and I hope there is nothing seriously wrong with the constitution of the Knights of Windsor.

LORD G. HAMILTON: This is not a Bill of the first importance; and if the hon. Gentleman will assent to this Motion, I will have a Memorandum attached to the Bill which will give all the information he desires.

Motion agreed to.

Bill ordered to be brought in by Lord G. Hamilton, Mr. Forwood, and Mr. Ashmead-Bartlett.

Bill presented, and read first time. [Bill 359.]

## ORDERS OF THE DAY.

SUPERANNUATION ACTS AMENDMENT (No. 2) BILL.—(No. 275.)  
COMMITTEE.

(4.40.) THE FIRST LORD OF THE TREASURY (Mr. A. J. BALFOUR, Manchester, E.): I beg to move—

"That the Order for Committee be read, and discharged, and that the Bill be committed to a Select Committee."

This Motion is intended to give effect to an arrangement which was come to on both sides of the House to refer this Bill to the examination of a Select Committee.

Motion made, and Question proposed,

"That the Order for the Committee on the Superannuation Acts Amendment (No. 2) Bill be read, and discharged, and that the Bill be committed to a Select Committee."—(*Mr. A. J. Balfour.*)

(4.41.) GENERAL FRASER (Lambeth, N.): If this Bill is referred to a Select Committee I hope the right hon.

Gentleman will take into consideration the hardship that it inflicts upon a certain class of people by certain words which are included in the Bill. They are—

\*MR. SPEAKER: The question is as to what tribunal this Bill shall be referred; whether it shall be considered in Committee of the whole House, or whether it shall go to a Select Committee. The merits of the Bill are not under discussion, and the hon. and gallant Gentleman is therefore out of order in discussing the merits of the Bill.

MR. MAC NEILL (Donegal, S.): I do not see why this Bill should not be taken in Committee of the whole House. It has already been two nights in Committee, and it was not discussed on the Second Reading at all. It was slipped through, as many Bills are, and we did not know its purport or effect. The moment it came before Committee its real object was discovered, and it was openly charged against the Government that this was not a genuine Superannuation Bill. We think this matter should be brought to the knowledge of the public and not shut up in a Select Committee. Of course, the right hon. Gentleman has got his majority, and he can force a Division, but I think he ought not to alter the course of business in this way. We want this matter openly thrashed out, and not relegated to a Committee, the majority of whom would be paid Ministers, who would be only too glad to assist the right hon. Gentleman in his schemes. You, Mr. Speaker, have already expressed a strong opinion on this practice which is springing up of taking Bills from the Committee of the whole House and referring them to Select Committees. You have said that the practice was unusual, and I hope the right hon. Gentleman will allow this matter to be discussed in a Committee of the whole House.

MR. H. H. FOWLER (Wolverhampton, E.): Perhaps as I made the suggestion that this Bill should be referred to a Select Committee I may be allowed to explain my position. The hon. Member is not quite right in saying that the Bill was in Committee two nights. It was only in Committee one night, and hon. Members who were

present will recollect that a number of inquiries were put to the Treasury, and some rather discordant answers were given as to the working of the Bill. We were quite at a loss to understand to what class of officers the Bill would extend, and I submitted that as this subject was inquired into two or three years ago by a Royal Commission which was presided over by the hon. Member for Blackpool (Sir M. White Ridley), but this particular question was not raised, there should be a full inquiry into the facts. The First Lord of the Treasury agreed, and I have no doubt the Select Committee will be now composed, not as the hon. Gentleman thinks, but of independent Members of the House. When the Select Committee has examined the matter, it will have to come before a Committee of the whole House, and we shall then have the whole facts before us and know exactly to whom the Bill refers.

MR. KNOX (Cavan, W.): I should like to say a few words why I consider that it is not desirable that this Bill should be referred to a Select Committee. I understand the right hon. Gentleman to say that the Select Committee would not take anything from the power of the House to deal with this Bill afterwards; but whatever doubt there may be as to what is in the Bill, there is no doubt that it will affect Resident Magistrates, because after much pressure we obtained a distinct assurance to that effect from the Secretary to the Treasury. We know for certain that whoever else is affected by this Bill, it affects Resident Magistrates, and that being so I would ask the First Lord of the Treasury whether there is really at this stage of the Session, and in the present condition of public business, any chance of passing through the House a Bill that proposes to confer benefits which they are not entitled to at present upon gentlemen with whom a large portion of this House is not in sympathy. It is merely fastening upon Members of this House a useless and laborious service which can have no legislative effect, and I hope hon. Members will assist us in resisting this proposal to refer the Bill to a Select Committee.

*Mr. H. H. Fowler*

(4.47.) MR. A. J. BALFOUR: We put the Bill forward in the House rightly or wrongly as a simple measure of justice to a certain number of officials, some of whom undoubtedly are Resident Magistrates. The Bill does not apply to Resident Magistrates as Resident Magistrates, but there certainly are Resident Magistrates to whom it does apply. Our opinion, as I have said, is that this is simply a measure of justice, and the intention is that when the persons affected under this Bill claim a pension, the Treasury should be honourably bound to give it them. If our view is right, this Bill ought to be passed without delay; if our view is wrong, the wrongness of it can be effectively shown before a Select Committee. I submit that a Select Committee is the proper place for the details of the measure to be thrashed out.

(4.48.) MR. SEXTON (Belfast, W.): It is perhaps needless to say that there are different views of justice in different quarters of this House, and it is well known that a majority of the Members from Ireland are not disposed to consent to any increase in the emoluments or pensions of the Resident Magistrates without very serious and minute inquiry into the grounds of that proposed increase. Our feeling in regard to the present Motion is that if the Bill be referred to a Select Committee, on which the Irish Members will be but sparsely represented, facilities for effective discussion after the Bill returns will be greatly restricted, because the House is likely to be guided by the decision of the Committee. If this had been a non-contentious Bill, with regard to which there had been a general assent, I should not have objected to the matter being referred to a Select Committee; but the First Lord of the Treasury must admit that a Bill which deals in any way with Resident Magistrates is necessarily contentious in the highest degree. No doubt, however, the question is affected by the fact that after this Committee has dealt with the Bill it will come before a Committee of the whole House; and considering the view expressed by the right hon. Member for Wolverhampton (Mr. H. H. Fowler), and considering the fact that we

shall still have an opportunity of dealing with this Bill in Committee of the whole House, I am disposed to advise my colleagues not to prolong this discussion, on one condition. That condition is, that as the only contentious question involved in this Bill relates to officials in Ireland, the Committee should be so constituted as to give special representation to the Irish Members, and that they should not be represented merely according to strict arithmetical proportion. If the Leader of the House is prepared to accept that understanding, which is, I think, reasonable, it would meet our views; otherwise we shall have no security that our views will be brought forward effectively before the Committee.

(4.53.) MR. A. J. BALFOUR: I have no right to speak again except by leave of the House, but the hon. Member has addressed a direct question to me. He says that the only contentious point raised in this Bill is one on which the Irish Members feel strongly, and therefore they ought to have exceptional representation on the Select Committee which is to examine into this Bill. I think, in the first place, that is a proposal of an altogether unusual character, and in the second place the subject can be debated quite well in Committee. But it must not be thought that the only controversial matter in the Bill centres round the Resident Magistrates. I recollect that the Member for Sunderland (Mr. Storey) raised very strong objections to that part of the Bill which relates to Indian Civil Servants, and several Members objected to the Bill because they thought it would increase the pensions of Governors in India and elsewhere. Therefore, the hon. Member is not quite right when he says that the objections came only from one quarter. I think the hon. Member will feel that this understanding would form a serious precedent. I hope he will not press it.

Question put.

(4.55.) The House divided:—Ayes 233; Noes 74.—(Div. List, No. 135.)

LOCAL GOVERNMENT (IRELAND)  
BILL.—(No. 174.)

SECOND READING.

Order for Second Reading read.

Motion made, and Question proposed, "That the Bill be now read a second time."—(Mr. A. J. Balfour.)

(5.8.) MR. SEXTON (Belfast, W.): I deeply regret that the illness of my hon. Friend the Member for the City of Derry (Mr. J. McCarthy) prevents him submitting to the House the Motion for the rejection of this Bill, of which he first gave notice. The duty has fallen upon me, and I hope that I shall be able to convince any Member of this House, who is disposed to take an impartial view of the principle declared by the Government themselves to be essential to Local Government, as defined in their Bills for England and Scotland, that this Bill should be rejected. I observe with some surprise that the Leader of the House has contented himself with moving the Second Reading of this phenomenal Bill by gesture. I should have thought that this being the stage when the principle of the Bill is at issue the right hon. Gentleman would have chosen the earliest moment for expounding in detail, and defending with energy, the principles and provisions of the Bill. Sir, we have been warned, and the country has been warned, I may say in lurid rhetoric, that if we do not accept this settlement of the case of Ireland and should prefer another Bill which we shortly expect to have before the House, we may look out for horrid war. Considering that the alternative to the acceptance of this Bill, which is presented to our minds, is that the Prime Minister and his allies, wherever they may be found, will take up arms against the future Government of the Queen, I should have thought that the right hon. Gentleman at the earliest moment of making this Motion would have thought no energy too great to expend on the task of showing that this Bill, as a settlement of the case of Ireland, should be preferred to any other. However that may be, there is one charge we often make against the Government in this House to which they are not open on this occasion. We have frequently had to charge this Government with rushing Bills in the House of Commons; no one can charge them with attempting to rush this

Bill. The right hon. Gentleman is in no unseemly hurry to make progress with the present measure. I cannot call to mind an instance, and I doubt if the most experienced veteran in British politics, the right hon. Member for Midlothian (Mr. W. E. Gladstone), whose Parliamentary memory runs back for half a century or more, can instance a case where a Government, having introduced the principal measure of the Session in the middle of February, did not ask the House to give it a Second Reading till nearly the end of May. Moreover, Sir, Members of all Parties are allowed to understand that if the Second Reading of this Bill should pass no further progress will be asked. If that be so, we are at the present moment engaged in a questionable use of the time of the House of Commons. I venture to speculate that if the First Lord of the Treasury had his choice this measure would never have come before us. The right hon. Gentleman is the victim of necessity; he bears in mind, and the country bears in mind, that when the Tory Party six years ago went before the electors of Great Britain it was on two particular pledges that they obtained the mandate which called them into power. One was that they would not enact coercion for Ireland; that promise has been broken. The other pledge was that they would give Local Government; that promise has not been kept. The right hon. Gentleman and his Party will presently have to face the electors of the country; and though they may hope to get rid of the effect of one broken promise, they feel that to come before the country with two violated pledges would break the back of any Party. It is under the stress of this imperative pressure, and in order to make a parade and go through the form of appearing to keep the second of these pledges, that this Motion has been made. I have no doubt that if the right hon. Gentleman were not under such imperative pressure the House of Commons would never have been troubled with this Bill. I say so for two reasons: The heads of the Tory Party have taught their followers by repeated lessons that coercion is the right thing, the only thing for the Hottentots of

Ireland. The more stalwart Members of the Tory Party, whose minds do not move so rapidly as those of their leaders, fail to see why Ireland should now have anything else. The pupils persist in remembering the lesson which the teachers would have forgotten. There is another reason which besets the Government with peculiar difficulty in regard to this or any scheme of Local Government in Ireland. The right hon. Gentleman has made coercion the permanent law of Ireland. Elective government, whether local or general, pre-supposes a foundation of civil liberty, and you can no more found a satisfactory or permanent scheme of elective Local Government upon the statutory *régime* which you have created in Ireland, than you can build a fortress on a swamp. It may be said that there is a lull in the coercive government of Ireland at present. Why is there a lull? Because the Government are living in fear of the electors, because they wish coercion to be forgotten when making an appeal to the country, because they know they enacted coercion in violation of a public pledge, and they are anxious that that pledge and the breach of it should be forgotten. Is there any other reason for a lull except that the Government are in fear of the electors, and desire their coercion *régime* to be forgotten? Why was the Coercion Act passed? It was passed because landlords wished to obtain fancy prices for their land, because the people established popular organisations to resist the demand, and because evicted farms could not be let. The state of Ireland at the present moment—in spite of official boasts—is in all fundamental aspects exactly the same as when the Coercion Act was passed. The landlords, by individual action or combination, are pressing for exorbitant prices for the land; the people maintain their popular organisations to resist the demand, and evicted farms are not taken. The state of Ireland is the same, from the point of view of the interest of the Tory Party, as in 1887; and I have no doubt, if the Tory Party by any contrivance should win its way back to power, that after the General Election we should return to the *régime* of 1887, we should



resume the interrupted "twenty years of resolute government," we should have proclamations all over Ireland, both ordinary and special; we should have bayonetting, batôning, and, perhaps, shooting in the streets, the dispersion of meetings by force, and the torturing of men to death in prison, as men were tortured in prison a few years ago under the *régime* of the right hon. Gentleman. We should have Tullamore and Mitchelstown in Ireland over again, with all that those names portend. I ask any hon. Member whether it is conceivable that such a coercive system—in which the fundamental rights of the citizen which are guarded as sacred in every part of Great Britain, the right of a free Press, of public meeting, of association and combination, are held at the mercy of a single official of the Crown—is it conceivable that such a system should work side by side with any system of local self-government in Ireland? I think it is not conceivable. In England and Scotland the County Councils are the masters of the police; in Ireland the police need not hesitate to snub the County Council. If a County Councillor in Ireland addressing his constituents ventured to use language which offended the ears of the Resident Magistrate the police need not hesitate to shoot. Or if a man said that the Standing Joint Committee had brought the business of the county to a dead-lock, or protested against his removal from office by two Justices, on a matter of opinion rather than of law or principle, he might be indicted for conspiracy to intimidate the Standing Joint Committee, or for inciting to a breach of the law. "Local Government and no coercion" was your cry in 1886, and that was at least an intelligible cry; but "Local Government and coercion" is mere nonsense, because Local Government is inconsistent with the idea of coercion, and incompatible with it in practice. But, Sir, for the purpose of this Debate, I am willing to forget for the moment that there is such a question as Home Rule; to ignore the fact that a free Constitution does not exist in Ireland; to imagine that coercion has not been applied to the Irish people, and to found my case on the proposition—which I shall be able to prove—that

from the point of view of the Government themselves, and testing the Bill by the principles they have laid down as essential to Local Government, and which they have adopted in England and Scotland, this Bill must be rejected by the House. Our position on the Irish question is well understood; we demand a Legislature for Ireland, and we say that only an Irish Legislature with its knowledge and sympathy can ever fit even the local administration of Irish counties to the interests and necessities of the Irish people. But I will put that aside for the limited purposes of this Debate. Let me now, by two or three instances taken from the Bill, indicate to the House the audacious partisan bias of the measure. The Government propose, while nominally withdrawing all fiscal functions from the Grand Juries, to leave the absolute power of levying upon the county rate compensation for malicious injuries to every Grand Jury in Ireland. These Grand Juries are saturated with social and political prejudices, and we know, by accumulated experience which stands beyond denial, that an Irish Grand Jury thinks any evidence good enough, and no claim for damages too high when the applicant in the case of malicious injury is able to satisfy it that he has made himself obnoxious to the people. I say that to continue to leave that important and delicate function in the hands of a body of a non-judicial and violently partisan character when a general re-settlement of the question is being made, is against common sense. The second instance I give of the partisan spirit of the Bill relates to the treatment that the Government proposes for the Cities of Belfast and Dublin. A remarkable sentence was quoted yesterday which had been used by Mr. Lowe many years ago. He said—

"He could not accompany any proposal for the extension of popular liberty with shabby expedients for taking it away."

This Bill professes to provide for the extension of popular liberty; but it is from beginning to end, an intricate and ingenious network of shabby expedients for rendering it nugatory. How do you deal with the City of Belfast? The general principle of

the Bill is that every person qualified to be a Parliamentary elector, and paying the local rate, shall possess the franchise for the purposes of this Bill. You propose that such should be the franchise in every county and every borough with two exceptions. Let me tell you what these exceptions are. You except the Borough of Belfast. Why do you except the Borough of Belfast? In the Borough of Belfast there are thousands of persons who would be enfranchised by the general principle of the Bill, because, although you have passed a special Act for Belfast which renders the municipal franchise in that city wider than in any other city in Ireland, there are in Belfast 70,000 Roman Catholics—one-fourth of the population—who are not permitted to have one representative on the Municipal Council, but are ousted from the civic life of the city by a system of jerry-mandering the wards, and the Government, remembering that, have the audacity to come forward and enact that the franchise of Belfast should continue as at present. Why? Because the Corporation of Belfast at this moment is exclusively Tory; and if you placed Belfast on a level with every other city in Ireland, the Nationalist minority, excluded and outlawed in the civic sense, might find some voice upon it. But you also exclude the City of Dublin. Now, the City of Dublin at this moment has a very exclusive franchise. In Dublin there are 40,000 Parliamentary electors, but only 6,000 or 7,000 burgesses. Will the House believe that in a Bill which affects to give to every Irishman the franchise for municipal affairs on the Parliamentary basis, the Government proposes that in Dublin out of 40,000 Parliamentary electors the municipal electors shall be limited to 6,000. What is the explanation of it? Can any hon. Member suggest a rational explanation? I can find no other reason than this, that the franchise in Belfast, which is not quite so wide as the franchise of the Bill, shall remain in the future as it is at present, in order that the Corporation of Belfast may continue to be a Tory preserve, and that the exclusive franchise in Dublin, admitting only one out of every five of those who

would be affected by the Bill, should remain as it is in order that the Tory minority in the Corporation of Dublin may not be disturbed. I ask the House to judge in these two instances whether the spirit of the Bill is a spirit of impartiality or a spirit of common decency in dealing with the affairs of the localities in Ireland. I notice another peculiar circumstance. There is to be a cumulative vote in the counties, and there is to be none in the boroughs. Why does this difference exist? I imagine simply for this cause, that in twenty-eight out of the thirty-two Irish counties, there is a Tory minority, for the interests of which the Government are concerned; and there is only one borough in which the cumulative vote could have a material effect, and that is the City of Belfast. It might have the consequence of allowing the 70,000 outlawed Roman Catholics of that city some voice in the City Council. I commend to the House, and to all impartial Members in it, the question whether a Bill can be regarded as otherwise than a shamelessly partisan Bill which leaves the compensation for malicious injuries in the hands of the Grand Juries, which leaves Belfast and Dublin in their present condition whereas every other borough in Ireland is to have a franchise under the Bill, and which proposes to establish a cumulative vote in the counties where it may affect the Tory minority, and does not apply it to the boroughs, in one of the principal ones of which the City of Belfast, the Nationalist minority is concerned. Now, when I ask what are the principles which should mould this Bill I do not go so far as the famous speech of the noble Lord the Member for Paddington (Lord R. Churchill). He said the local government to be given to Ireland should be equal and similar to the local government to be given to England and Scotland. I do not dwell upon the numerous, I may say the innumerable, pledges in that sense and to that effect which have been given by Members of the Party opposite. I go back no further than the Royal Speech at the opening of the present Session. That speech was dictated by the Ministers of the Crown, and for the policy pronounced in that Speech they are respon-

sible to this House. I fix them with that responsibility, and I say that, limiting myself to the view of that responsibility alone, this Bill cannot be accepted. For what does the Government say in the Royal Speech delivered at the opening of the Session? They told the House that proposals would be laid before us for applying to Ireland the general principles affecting local government which have already been adopted in Great Britain. This Bill is the proposal referred to in the Royal Speech; and the question is whether or not this Bill proposes to apply to Ireland the general principles already adopted in Great Britain. What was the first general principle adopted for Great Britain? It was that the franchise of the Bill was withdrawn from no person upon whom the Bill conferred it. The English and Scottish Acts declare that every person qualified to be a Parliamentary elector who pays a local rate shall have a vote on the question of local government; and from no person to whom the franchise has been given has the franchise been withdrawn. But in the case of Ireland, by one of these shabby expedients, you propose to withdraw it from tens of thousands of persons throughout the country who contribute to the rates. How do you do that? You propose that Rule 26 of the Ballot Act shall not apply to elections under this Act. What practical consequence is shrouded in the legal terms of that phrase? That the public officer in Ireland, the presiding officer at the county election, will refuse to take from any voter a declaration of inability to read, and will refuse to mark the voting paper of any elector who comes before him. It comes to this: that in England and Scotland a man who pays his county rate and who is not able to read will be enabled to vote—as I think he ought to be so enabled, because if a man contributes to the county rate the question is not whether the man can read or not; the question is whether, having contributed to the county rate, he has a right in justice and in common sense to enjoy a voice in the matter of the spending of his money; but whilst in England and in Scotland every man who con-

tributes to the rate and is qualified to vote at a Parliamentary election enjoys the vote whether he can read or not, you propose for Ireland that the presiding officer will refuse to mark the paper. More than that, you have established for Ireland such a cumbersome and perplexing franchise, that whereas in England an elector votes for one candidate, and one candidate only, an elector in Ireland will be obliged not only to read, but be able to write and to exercise some arithmetical knowledge, because he will have to divide the vote between the rival candidates and mark his paper accordingly. The practical effect of the proposal of the Government will be this: whereas in England and Scotland every elector will be absolutely free to vote and will be enabled to vote by the action of the presiding officer, you impose upon Ireland an educational test, a novel and special educational test, which extends not only to reading, but also to writing and arithmetic. I protest against the gross injustice of accepting the illiterate where every possible facility has been given for public education, and excluding by a novel educational test tens of thousands of men, contributors to the rates, in a country where public education has been hampered in the first place by the ill-judged character of your primary system there, and in the second place by the poverty of the people. I contend, then, with confidence that the general principles which have been already applied to England and Scotland with respect to the franchise have been violated in this regard with respect to Ireland. What was the second general principle? The constituencies in England and Scotland were defined by Public Bodies, upon rules inserted in the Statutes. The constituencies in Scotland were defined by the Boundary Commissioners, whose names were inserted in the Bill, and were therefore subject to the scrutiny and approval of the House. The constituencies in England were defined in the boroughs by the Corporation, and in the counties by the Quarter Sessions. All these authorities were strictly bound, by rules inserted in the Statute under which they act, to have regard, when fixing a division, to area, to valuation, to the distribution of

the people, to the pursuits of the people, to the existence of urban and rural communities, and to equality of population. What course do you pursue in Ireland? Do you appoint Commissioners by the Bill; do you entrust the defining of the constituencies to any Public Body? No, Sir, the Lord Lieutenant, an official of the Tory Party, is to have absolute power in the matter. What will the Lord Lieutenant do? There is not a syllable of direction given to the Lord Lieutenant by the Bill. He is not asked to have regard to area, nor to valuation, nor to the pursuits of the people, nor to the existence of urban and rural communities, nor to equality of population. He is asked to have regard to nothing but his own mere will and pleasure; and what will the Lord Lieutenant do? Of course the Lord Lieutenant will take his telescope, and spy every county and borough for the minority of his friends, and there fix his view—upon any spot where there is a Tory minority. He has the power to say what number of Councillors there shall be for each division; he has the power even to say whether a county shall be divided at all, and he may leave a county undivided if that shall be his pleasure. The next proceeding of the Lord Lieutenant will be to ascertain the number of the minority, and then to fix the divisions with sole regard to the interests of that minority and to no other public interest, and to fix the number of Councillors of that division so that by the highly artificial mode of cumulative vote the minority, whatever it may be in that county shall be assured of representation. I do not object to any fair or rational scheme of representation of the minority in Ireland or any other country. I should be glad to see them represented everywhere; I should be sorry to see them unrepresented anywhere; but I do object, and object with all my force, to placing not in the hands of a Public Body, but in the hands of a Tory official bound by no instruction, as the Public Bodies are in England and in Scotland, but free to act upon his own caprice or upon his sense of the interests of his Party—I do object to placing in his hands a power which will enable,

*Mr. Sexton*

which will tempt him, which, I may say, will compel him to define all the divisions, and to parcel out the whole of the country, not having regard to the matters I have mentioned, but for the purpose of procuring representation for a simple minority. I submit that by not naming Commissioners or Public Bodies in the Bill to fix the boundaries and divisions, by not giving any instruction as to how the boundaries are to be fixed, and by leaving the question of the divisions of the counties and the representation of each division to the unchecked discretion of the Lord Lieutenant, without any expression upon any of these points which are required in the case of England and Scotland, the second general principle applied to these countries has been set aside. The next general principle applied to England and Scotland is that every elector shall vote for one candidate and no more. Why has that principle been departed from in the case of Ireland? The right hon. Gentleman (Mr. A. J. Balfour) eulogised it in his speech on the introduction of the Bill as a stupid thing which had been done before. I submit that this is a stupid thing which has not been done before. The cumulative franchise has been applied to one limited matter in this country. It has been applied with dubious and, I think, unsatisfactory results to the Department of primary education; but I have never heard of any attempt to apply this highly cumbrous and perplexing vote to the local administration of any country whatever. I say it is a cumbrous and perplexing vote, not easily apprehended by the mass of the people, and I protest that you should not make such an experiment in Ireland when you have not made it in England or Scotland, and that you should not make it in pursuit of an illusory idea. I say you are proposing to apply this cumulative franchise in pursuit of an illusory idea, for in three parts of Ireland—and I speak I may say from personal knowledge—the minority of the friends of the Government is so slight that the most ingenious and artificial mode of voting which you may devise will have no material effect; and in the other fourth part of Ireland the relative strength of



the two parties is such that you will achieve no other effect by the most complicated system of cumulative voting than you could have achieved with simplicity and ease by any fair division of the counties. The next general principle refers to the management of the police. In England and in Scotland the principle has been applied that an essential part of elective local government is the management of the police. In England and in Scotland by your Acts the County Councils are masters of the police; in Ireland unquestionably the police will be the masters of the County Councils. What was said in the Debate on the introduction of the Bill by the right hon. Gentleman the Chairman of Ways and Means? That the scheme of this Bill is a scheme of transfer of power from one Local Authority to another; and he said the police in England had been subject to the Local Authority, and the police in Ireland are not. Well, the police in England have been subject to the Justices, the Justices are appointed and removable by the Crown, and I should say that the police in that way were subject to the Imperial authority. But, however that may be, there is a proposal in the English Act to transfer to the County Councils under certain conditions all the powers of any Department of State, and even of Her Majesty in Council. I say, therefore, there is nothing that I have seen in the general principle of your legislation to prevent the transfer of the control of the management of the police to the Local Authorities in Ireland. You may say the localities contribute to pay the police in England. They do; but if you exact excessive revenue from Ireland, and if you choose to apply a million and a half of that revenue every year to paying the police, I say that every penny of the money that pays the Irish police is Irish, and that the particular form or mode—whether you levy that money by way of Imperial taxation or by way of local rates—cannot enter into the question. By right the localities in Ireland ought to have, if not a decisive voice, at least a share in the management of that money; and I submit that not even for a moment can a scheme of Local Government for Ireland be considered by Irish Members

as an acceptable basis for dealing with that question which ignores the essential and fundamental matter of the management of the police. The next general principle applied to England and Scotland has been this, that the local control shall be genuine, shall be real, shall be effective. I have carefully read the English Act and the Scottish Act, and I conclude that the local control exercised by the County Councils in England and Scotland is of a genuine, real, and effective character.

THE FIRST LORD OF THE TREASURY (Mr. A. J. BALFOUR, Manchester, E.): The Standing Joint Committee.

MR. SEXTON: I will come to the Standing Joint Committee in a minute. But I declare after the most careful study of this Bill that the County Council in Ireland will be nothing more than the serf, the drudge, the scullion of the Standing Joint Committee. I cannot imagine that any Nationalist elector in Ireland would care to vote for a man to act as he would have to act under the conditions contemplated in this Bill; and I cannot imagine any man of spirit and sense accepting election under the conditions contemplated by the Bill. The right hon. Gentleman interjected an interruption as to the Standing Joint Committee, the suggestion evidently being that the powers of the County Council are limited as much in England and Scotland by the Standing Joint Committee as they were likely to be in Ireland.

MR. A. J. BALFOUR: My remark was simply in reference to some words used by the hon. Gentleman, which appeared to me to convey that the police in England and Scotland were controlled by the County Councils. I pointed out that they were not controlled by the County Councils but by the Standing Joint Committee.

MR. SEXTON: I am perfectly aware of the arrangement in the English and Scottish Acts as regards the control of the police; but I am saying for the moment that the control of the County Councils in England and Scotland is genuine, real, and effective. Unquestionably in regard to the police I assert this, that the County Council in England and Scotland, apart from the

Justices and the Standing Joint Committee, has a special kind of authority of its own. It may be said that the Standing Joint Committee in England exists entirely for the purposes of the police. True, it has some other functions relating to county officers, but they are of a minor character. They have no financial importance; and the conclusion is this, that the English County Council, except in the one matter of the police, in regard to which its powers are somewhat limited, has, so far as local authority is concerned, uncontrolled administration in every matter of finance—in fact, in the whole sphere of administration confided to it by the statute. What is the case in Scotland? The Standing Joint Committee consists of seven County Councillors, seven Commissioners of Supply, and the Sheriff of the county. The Sheriff in Scotland is a permanent judicial officer. He is not more closely connected with the Commissioners of Supply than with the County Council; his partiality as between the representatives of these bodies is something that cannot be assumed. At any rate, this proposal of a Joint Committee for Scotland was forced upon the acceptance of the Scottish Members by the English vote; and am I to be told that the imposition of the authority of the Standing Joint Committee upon the Scottish County Councils against the wish of the Scottish Members is any reason whatever that the Irish Members should accept such a provision for Ireland? Moreover, in Scotland the landlord pays the bulk of the rates; but the landlord may be said to pay none of the rates in Ireland. The exceptions are insignificant and rare. I should like to ask the Attorney General if he would make a calculation and tell us, out of every pound paid for county cess in any county in Ireland, how much is paid by the man who would elect seven County Councillors, and who would be represented by the seven Grand Jurors and the Sheriff, who would out-vote and over-ride the representatives of the people? In Scotland the owner pays the bulk of the rate, and has a right which he cannot pretend to in Ireland. Yet even in Scotland the Standing Joint Committee has a power of control which is trivial when

compared with that which is proposed for Ireland. In Scotland the Joint Committee deals with police, which is excluded from the Irish scheme; it deals also with capital expenditure and with borrowing power; but beyond that it has no power of interference with or control over the action of the County Council. I think I have made plain to the House, both in regard to England and to Scotland, what degree of authority in regard to the County Council is given to the Standing Joint Committee. Now let me endeavour to give the House an idea of the base and contemptible function assigned to the County Council in Ireland, having regard to the powers to be conferred on the Joint Committee. First, how is the Standing Joint Committee to be constituted in Ireland? It is to consist of seven County Councillors, seven Grand Jurors, and the Sheriff of the county. The Sheriff of the county is a person allied by social class with the members of the Grand Jury. He nominates the Grand Jury; and you, who sometimes compliment us by calling us a shrewd and quick-witted race, expect us actually to tolerate a proposal by which, in regard to rating almost wholly paid by the occupier, and only to an infinitesimal extent ever paid by any landlord, we shall submit to have our seven representatives upon the Standing Joint Committee at any time, upon any question, out-voted by the Sheriff of the county and seven men of his own nomination. The proposal is ridiculous and absurd. Now let me recite to the House the matters on which the County Council would be helpless to act unless the Sheriff and his seven wise men of the Grand Jury were willing to give them leave. The County Council could not make any capital expenditure; and we learn from the Scotch Act—which is more precise than the Irish Bill—that this capital expenditure includes—

“The erection or enlargement of any building; the making or widening of any road; the construction or improvement of any bridge; any work of drainage, any water supply, or the acquisition of any land or any right to land, or interest in land, or servitude in regard to land for any purpose of capital work.”

Now, looking to the fact that you propose to found in a country which

has hitherto been so grossly neglected a Local Authority representative of the electors, the people who pay the money, I do submit it is fantastically absurd that in regard to the erection or improvement of any building, the making or widening of any road, the construction or improvement of any bridge, and so forth, the people of the county and their representatives should be subjected to the will of eight landlords, in regard to whom I must again emphasise the fact that the landlords do not pay the money. The landlords, broadly speaking, in Ireland only pay the county cess as occupiers, and for the farthing in the pound of the county cess which they pay as occupiers they have the cumulative franchise the same as everybody else, and are at liberty to employ it. So much for capital expenditure, but without the consent of the eight landlords the County Council cannot undertake any capital liability. I do not understand what is the practical distinction between capital expenditure and capital liability, but I suppose there is an important distinction.

THE CHIEF SECRETARY FOR IRELAND (Mr. JACKSON, Leeds, N.): Guarantee.

MR. SEXTON: The Chief Secretary suggests that capital liability would probably mean guarantee. No doubt it would if guarantee were not also mentioned. Without the consent of the eight landlords the County Council cannot give any guarantee. Have we heard of anything more frequently in recent years than that Ireland is in need of much development in regard to communication? The First Lord of the Treasury takes pride that he has initiated a system of improved communication in the West of Ireland. That system might need to be further developed. There are other parts of Ireland in need of lines of railway and of tramway; but unless the County Council can secure the assent of the Sheriff and his seven co-landlords they would not be at liberty to give a guarantee for the construction of any line of railway or tramway in their county, though the burden would eventually fall upon them and the people they represent. Nay more, they could not give a guarantee for the cost of the enlargement of any industrial school, and

they could not give an undertaking to repair a road not previously repairable as a public road. Now, surely, one would have thought that the representatives of the vast body of the cess-payers of the county, if they chose for any reason to repair a road not previously repairable as a public road, might be allowed that not very startling discretion. Under the head of capital expenditure I have classed the powers of the County Council under the Sanitary Acts. The County Council may by resolution procure the transfer from the Rural Sanitary Authority of their powers under the Sanitary Acts. What are the principal Sanitary Acts? The chief one is the Public Health Act, and the rule which I have read debarring the County Council from making capital expenditure would prevent them without the consent of the Sheriff and his friends from building a drain or providing a water supply for a village. Another of these Acts is the Housing of the Working Classes Act. The County Council could not build in any county in Ireland a house for any artisan unless with the consent of the Standing Joint Committee. The Labourers (Ireland) Acts are other Sanitary Acts. Without the consent of the Standing Joint Committee the representatives of the people in any county could not provide a single labourer in that county with a cottage. So much for capital expenditure. I come now to borrowing powers. The Standing Joint Committee would control the borrowing powers just as much as the capital expenditure. Without the consent of the Standing Joint Committee the County Council could not borrow any money even to consolidate the county debt; even though it were a measure of economy to reduce the rates, the consent of the Standing Joint Committee would be necessary. Without such consent the County Council cannot purchase any land or build any building, even though it were authorised by law so to purchase or to build. It could not borrow for any permanent work or other thing—that is general enough—which the County Council is authorised to exact or do. Although it was authorised, it must not do it except with the consent of the Standing Joint Committee. It

cannot borrow for any purpose in relation to any business transferred to the County Council for which business under this Act a loan is authorised to be raised. You transfer a business to the County Council by this Bill; you say it may raise a loan, and then, by one of the devices described by Mr. Lowe as "shabby expedients," you provide that it must not execute that purpose or raise that loan until it has the consent of the eight Gentlemen of the Standing Joint Committee. I have not yet exhausted the catalogue. The County Council may not incur, without the consent of the Standing Joint Committee—which will be as great a standing nuisance as ever came into existence—any expense which is to be defrayed out of the county rate. The meaning of that is that the Sheriff and his nominated colleagues will have to consent to any expenditure for the most necessary and urgent sanitary purpose if the rate is to be thrown on the county for that purpose. The County Council, without the consent of the Standing Joint Committee, may not oppose a Bill in Parliament, even though opposition to that Bill should be necessary in its judgment for the promotion or protection of the interests of the inhabitants of the county. The men elected by the county by a vote as wide as a Parliamentary vote are not to be the men to judge whether or not a measure, proceeding in Parliament should be opposed in the interests and for the protection of the inhabitants of the county. So that even though the measure which the interests of the inhabitants of the county may require should be opposed, is promoted by the friends and confederates on the Grand Jury of the Standing Joint Committee, the County Council will be under the obligation of going to those eight gentlemen and asking their consent to oppose this Bill. There is something more extraordinary still, and it is really something to which I invite the attention of every Member of the House. The County Council, without the consent of the Standing Joint Committee, cannot prosecute or defend any legal proceedings, even if, in its opinion, the prosecution or defence of those legal proceedings should be necessary for the promotion or the protection of the in-

*Mr. Sexton*

terests of the inhabitants of the county. You propose to transfer to the County Council the powers of the Sanitary Acts. The efficiency of the Sanitary Acts depends upon prosecution. You propose to transfer to the County Council the powers of a variety of local authorities, the efficiency of which depends upon the power of prosecution. The County Council may be harassed by vexatious actions against itself, but the theory of this Bill is that no matter how gross may be the violation of the public right, or the danger to the public, by the action of any individual, it cannot prosecute him without the consent of the Standing Joint Committee. Why, before the consent of the Standing Joint Committee may be obtained to the stoppage of a nuisance the whole county may be swept by an epidemic! And in regard to the defence of legal proceedings, is it to be seriously contended that, no matter who brings a vexatious and harassing action against the County Council, that body must call the Sheriff and his seven colleagues together and ask for their consent? At least, it might be supposed that the County Council would be the master of its own officers. That would trench upon the sacred functions of the Sheriff and his seven colleagues, and so you cannot allow the County Council to have control of its officers. The Government propose that nothing of the kind shall be the case, that it shall not have control of its own officers. I have, as I have already said, read the English and Scotch Acts, under which the English and Scotch Councils, in barring the right of an officer to compensation in case of abolition of his office, or reduction of his income, have practically absolute power over the officers in their employment. The Irish County Councils will be the servants of those officers; and the Standing Joint Committee will be the masters of both the County Council and of the officers nominally in their employ. I say case a most iniquitous proposal, in a case where there is so much need for impartiality in the action of the officers between the landlord and the tenant class as in Ireland, that the emoluments and functions and the appointments of the county officers should not be under the control of a



representative body like the County Council, but under the control of eight gentlemen representing the landlords' interests. By the Bill all existing officers are continued in office, even the baronial constables appointed by the Grand Jury before the passing of this Act. They are to be saddled upon the county; and not only that, but without the consent of the Standing Joint Committee the County Council cannot remove, cannot suspend, and cannot reduce the salary of any existing officer; and without the consent of the Standing Joint Committee the County Council cannot dictate to any officer as to the performance of any duty except those directed by a scheme approved by the Standing Joint Committee. Is it to be supposed that a County Council so thwarted and so hampered upon every hand will be able to exact obedience or even common respect from the persons nominally in its employ, or that it will be able to conduct its business in an efficient and orderly manner? In regard to future officers, the appointment of the County Surveyor, his salary, his duties, and the question of his removal are all at the discretion of the Standing Joint Committee. Without their consent the salary of the County Surveyor cannot be reduced, nor can he be removed; and to sum it all up, except in regard to existing officers, from the date of the passing of the Bill, without the consent of the Standing Joint Committee the County Council cannot make any alteration in duty, or in pay, or in the conditions of employment of any other officer. You propose to place these unfortunate gentlemen of the County Councils of Ireland in a position of impotence in regard to the Standing Joint Committee, and in a position of helplessness and contempt with regard to their nominal servants. I have enumerated the powers of the Standing Joint Committee; but let me add this: that "if any question arises"—I quote the words of the Bill—

"Or is about to arise as to whether the consent of the Standing Joint Committee is or is not required in any case,"

—one would have thought the enumeration exhaustive enough, but there is this additional provision—

"That question may, on the application of any Standing Joint Committee, be submitted for decision to the High Court, and the Court, after hearing such parties and taken such evidence (if any) as it thinks expedient, shall decide the question."

And observe this: that as the Standing Joint Committee has no funds of its own, and as the County Council is bound to pay the expenses of the Standing Joint Committee, whether the Court decides for or against the County Council, the county would have to bear the cost. I have carefully examined every word and syllable of the Bill. I have endeavoured to discover what in the world the County Council can do—I mean of its own authority. I have not thought it needful to refer to the provisions relating to the Treasury, or the Local Government Board, or the Board of Works, or the Lord Lieutenant, or the various other officials of high and low degree with whom the County Council is encompassed in the pursuit of its dangerous functions. I have thought it sufficient to refer to the Standing Joint Committee; and the conclusion to which I come, after careful study of the Bill, is this. It would not be just to say that a County Council in Ireland would have no power for which it is solely responsible. A County Council in Ireland would have the power to break stones. It would have the power to break stones in limited quantities, provided that this involved no capital expenditure nor any capital liability. That is not the whole of it, because having broken these stones the Council can spread them upon the roads. Not all roads, but some. It would be very dangerous for the County Council to spread them upon all the roads, because if it ventured to spread them upon any road not previously repaired as a public road, the Standing Joint Committee or the Court might be instantly down upon it. There is only one other power which it can safely exercise. I do not think it can safely use the powers of justices in regard to sudden damage to roads, because the Standing Joint Committee might decide that the cost of the repair of sudden damage to roads was capital expenditure, and the County Council is forbidden to incur that without the

consent of that Committee. Nor will it be safe for the Council to exercise the powers under the Rivers Pollution Act, because it might have to construct a drain, which would involve that capital expenditure which is one of the subjects reserved for the Standing Joint Committee. But in addition to the power of breaking stones the Council undoubtedly has the power of dealing with destructive insects, under the Destructive Insects Act, 1877, provided that these destructive insects are not so formidable or do not exist in such numbers as to require capital expenditure for their suppression. But I am disposed to say that while I am fully conscious that these two powers are unquestionably given to the sole care of the County Council by this Bill, we in Ireland consider that even in the sphere of local administration we have a right to aspirations more extensive than the breaking of stones and the destruction of insects; and my disposition is to present these insects with my respectful compliments to the right hon. Gentleman the First Lord of the Treasury, and let him dispose of them according to his own ideas. What reason can be assigned for this elaborate and unparalleled network of interference with the work of the representatives of the people? Why should not the ordinary law be sufficient in Ireland, as in England or in Scotland? Why should Irishmen be supposed to be naturally more corrupt, dishonest, or criminal than the men of any other race? Do hon. Members possess the least idea of the powers and functions of the ordinary law in regard to public bodies in Ireland? May I, just for a moment, ask the House to take specifically into its mind the legal powers which are not considered sufficient? In the first place, the County Council must levy an equal poundage rate upon all property liable to county cess, so that it is not able to discriminate to the prejudice of any ratepayer. In the second place, any cesspayer or any person entitled to the receipt of rent, out of which county cess may be deducted, may appeal to the Sessions against the making of any rate, and may cause that rate to be quashed. In the third place, any person affected

may traverse before the High Court any order for payment made by the County Council, and may cause it to be cancelled. In the fourth place, any person affected may present a memorial to a superior authority either against the order for the execution of any works, or against the policy of executing any works; and that authority may direct the County Council either to proceed or not to proceed with the works. Then comes the public auditor at the end of every year with the power to disallow any illegal or improper expenditure, and by surcharge to make the members of the Council personally responsible for the expenditure, and compel them to refund the money. Next, there are the powers of the ordinary law, which are certainly sufficient for corruption, for malversation, or for disobedience to the law. Then, finally, the Court of Queen's Bench in Ireland, as in England, has by mandamus absolute power to deal with any abuse of power—either the excess or the misuse of function on the part of a Local Body—and by imprisonment or by fine to compel obedience to its orders. Then upon this accumulation of legality, which no one can pretend to be insufficient for the purpose, the powers of the Standing Joint Committee have been superimposed; and it is upon the existing powers and the proposed powers of that Committee that the further proposal has been made—a proposal unparalleled in the history of the civilised world—that the rights and the existence of about two hundred Public Bodies in Ireland, thirty-two County Councils, and about 160 Baronial Councils—should be placed at the absolute mercy of two Judges upon matters not merely of corruption, but of “oppression,” a word not yet defined by any law, a word which raises a matter of prejudice and of opinion and not a matter of crime. You place in the hands of these two Judges the power to disqualify any Council, to turn the whole Council out-of-doors, to terminate its official life, to ruin any man or men on that Body by the imposition of legal costs, and to disfranchise, by their mere dictum, the whole body of electors in a county. I scorn to argue with such a proposal. I say that it is an insult

to the Irish people; and that even if your scheme were as perfect as it is absurd in every other particular, this one provision alone would entitle and compel us to throw your Bill back to you. This Bill, so far as it is not openly repressive, is a great, an elaborate, delusion. It professes to give an increase of liberty; what it does provide is a further development of coercion. It professes to extend elective local government; what it does provide is an ingenious and intricate network of elaborate provisions to render that power inoperative. Under the pretence of extending local government, it would give to the judiciary, who occupy in Ireland a position not wholly free from suspicion of partiality, an arbitrary power over the rights of the electors, over the franchise of the electors, and over the powers of their representatives; and it would give to them that power not merely in matters of crime or of offences, but in matters of prejudice and of opinion not cognisable by a Court of Law in this or in any other country. Sir, this Bill, instead of improving the situation in Ireland, will provide for the perpetuation of the ascendancy of class over class, and party over party, in the most offensive and prejudicial form, by setting up in every county in Ireland a nominated majority of irresponsible persons to overrule and set at nought the will of the electorate. The Irish people reject the Bill with contempt; they have received it without surprise, because they expected nothing better from its authors—from the men who, for the last five years, in the interest of the greed and tyranny of a class, have scourged and insulted them throughout. I ask the House to reject the Bill, not only upon the grounds I have laid before them, but also because it is an affront both to Parliament and the country. I say it is an affront to the country, because it violates in all essential principles the pledge given six years ago by the Tory Party to the electors; and to Parliament, because it violates in every essential principle the undertaking given to Parliament itself at the opening of this Session in the Speech from the Throne.

Amendment proposed, to leave out the word "now," and at the end of the

Question to add the words "upon this day six months."—(*Mr. Sexton.*)

Question proposed, "That the word 'now' stand part of the Question."

\*(6.33.) THE ATTORNEY GENERAL FOR IRELAND (Mr. MADDEN, Dublin University): I have followed with interest and attention the speech of the hon. Gentleman who has just sat down; but I had considerable difficulty in recognising from his descriptions and criticisms the Bill with which I fancied I was familiar, and which is the measure now before the House. Will it be believed that the observations and denunciations of the hon. Member were addressed to a Bill which in all essential particulars, as I shall demonstrate, is as liberal as the legislation passed into law for England and Scotland? Take one of the essential parts of the Bill—that of the franchise. I listened with attention to the only general criticism of the hon. Member with regard to this part of the Bill. It was that in this Bill the Government have adopted what he called a principle of disfranchisement. This is the principle which the House agreed to the other night by a majority of more than two to one as one which ought to be extended to the whole of the United Kingdom. It is not a measure of disfranchisement, but only the removal of an exceptional privilege from the least deserving class of electors. That was the only general criticism of the hon. Member, but there were some minor criticisms in regard to Belfast and Dublin—criticisms which might fairly be made in Committee on the Bill. Are you prepared to reject a Bill for the Local Government of Ireland because Dublin and Belfast differ from other Irish Municipalities as regards the municipal franchise? Surely that is not a question for discussion on the Second Reading of this Bill. I observed that the hon. Member made these criticisms in order to prove the "audacious party bias" of the Bill; but let me say that a Bill with a party bias would produce a different political result in Dublin and Belfast.

MR. SEXTON: No, it will have the same result. In Belfast it will shut out the Nationalists, and in Dublin it will protect the Tories.

\*MR. MADDEN: The hon. Member relies upon the cases of Dublin and Belfast to show that the Bill has an "audacious party bias." I contend that there is no case for such a suggestion. So much for the question of the franchise. The question of cumulative voting is closely connected with the franchise. The hon. Member for West Belfast said he was in favour of the representation of minorities, but he criticised the particular manner in which the Bill deals with that question. I will undertake to say on behalf of the Government that if the hon. Member can suggest a better way of obtaining a fair representation of minorities than by means of the cumulative vote, the Government will be only too glad to embody it in the Bill; and I say that with the full assent of my right hon. Friend beside me. There are obvious objections to almost all schemes which have been proposed dealing with this problem. All I will further say with regard to it is that I and the hon. Member are at one in wishing to secure the representation of minorities, and that this and other arguments directed against the Second Reading of the Bill might both have been adduced in Committee. I will now refer to another point—that with reference to the police. Anyone listening to the speech of the hon. Member for Belfast would have imagined that in England and Wales the control of the police had been transferred to the County Councils.

MR. SEXTON: I said that in England and Scotland the County Councils have control which they have not in Ireland.

\*MR. MADDEN: To suggest that the control of the police in Ireland should be given to the County Councils is to suggest not the assimilation of the Irish to the English and the Scotch system, but the introduction of a totally new principle. The hon. Member used some strong language in regard to what he called the control over the County Councils. He said the Councils would become the "serfs, drudges, and the scullions" of the Standing Joint Committee. But what about the Standing Joint Committee in Scotland? I do not know whether the most patriotic of Irishmen would get up and assert that his countrymen are more

economical or less likely to spend their sixpences or larger sums of money extravagantly than their Scotch friends. I, for my part, am not prepared to take up that position. What has Parliament thought fit to do in regard to the County Councils in Scotland? It has said—"In matters of capital expenditure you shall be under the control of the Standing Joint Committee." The hon. Member, referring to the constitution of this Committee, said that while there would be in Ireland, as in England, seven representatives of the County Council and seven representatives of landowners, the *ex officio* member would not hold the same position as the Sheriff of a Scotch county. That is true, but I would point out that my right hon. Friend, in introducing this Bill, said—and I am authorised to repeat it—that it is the desire of the Government to appoint an *ex officio* member who will fulfil and occupy in the Irish Council the position of the Sheriff in Scotland, or to provide some other means whereby a member should be added to the County Council who would be recognised by all parties as an impartial official.

MR. SEXTON: The right hon. Gentleman means the Joint Committee and not the County Council.

\*MR. MADDEN: I thank the hon. Gentleman for the correction, and I would say that if hon. Members opposite can suggest some method by which a person who can be trusted by both sides can be added to the Joint Committee the Government will be only too glad to accept it. The hon. Member further argued that there is a reason for having a Joint Committee with a control over the expenditure in Scotland, because the landlord there, at all events, pays a portion of the rates. It was also said that in Ireland the landlord paid none of them—a statement which was cheered by hon. Members opposite. It is true that, speaking generally, county cess is paid by the occupier. But I have heard, over and over again, the argument urged by hon. and right hon. Gentlemen opposite that rates fall ultimately on the owner, and that in consequence that relief is, in respect of local rates, given to the owner of the land, not to the occupier. At all events



in Ireland this is a reality, for the incidence of rates is taken into account by Sub-Commissioners in fixing judicial rents, which, as the House knows, are subject to revision every fifteen years. The hon. Member asked me a question which I am very happy to answer. What is it, he inquired, that the County Councils are to do? Well, Sir, the language of the Bill and its practical operation are about as wide as any that have been introduced into an Act of Parliament. I would here remind the House in a very few words of a point of difference between the English and the Irish county system, which may not be present in the minds of all English Members, although it may be in the minds of Irish Members. We have had in operation in Ireland for a long time a baronial system under which the necessary expenditure for works, which ultimately come under the cognisance of the Grand Jury, are in the first instance passed by the Baronial Sessions peculiar to Ireland. Those duties we transfer to the Baronial Councils, which are, in effect, the District Councils, which have been promised for England. To the County Council we transfer all the fiscal and administrative duties vested in the Grand Juries, and we do more—we enable the County Councils to take over, if they think fit, the very important duty now vested in the Rural Sanitary Authority under the various Acts. They will have power over all that is now under the control of the Grand Juries, and, in addition, they will take over from the Board of Guardians some of the important duties now discharged by those bodies. So far, therefore, as I can see, the County Councils in Ireland will be placed, as regards the transfer of duties and power, in a more favourable position than the County Councils in England and Scotland. Now I do not think that any fair-minded Member of this House can complain with regard to that. The hon. Member for West Belfast has, however, complained that there has been no transfer to the County Council of the powers of the Grand Jury in Ireland with regard to malicious injuries.

MR. SEXTON: I did not complain that it had not been transferred to the County Council, but that the Grand Jury system had been left untouched.

\*MR. MADDEN: When a very experienced statesman was asked how a certain matter should be dealt with he suggested, "Why not leave it alone?" That is what is done under this Bill. But I quite appreciate the force of the suggestion that these powers might with advantage be transferred to some judicial tribunal, and if the hon. Gentleman can suggest a more excellent way of dealing with this part of the question we should be glad to consider it. Now I come to an important part of the Bill—a part about which the hon. Member has declined to argue. The hon. Gentleman has criticised those parts of the Bill which might fairly have been discussed in Committee; but he declines to argue upon the important portion which I am now approaching—that which gives protection to the minority against corruption, malversation, or oppression. I am, therefore, under this disadvantage with regard to it: that I have no argument to meet. The hon. Member said he declined to argue upon it, because he considered it as an insult to Ireland. If I had regarded the provision of the Bill in that light I should not stand up here to defend it. I regard it as no insult to any country to recognise the plain and patent facts of its history. It must be admitted that there has been carried on in Ireland a war of class against class, and that this war has raged around the property of the minority. The circumstances of Ireland as regards the position of the minority differ essentially from the circumstances of England and Scotland. I have no doubt whatever that if such a war had raged in England or Scotland as has existed in Ireland, no responsible Minister would have given Local Government to England or Scotland without safeguards similar in principle to those provided in this Bill. I do not believe that the war in Ireland has been attended by more regrettable circumstances than it would have been under similar conditions in England or Scotland. Nay, I believe that if it had had in England and Scotland, as it has had in Ireland, the support of

political leaders and the sanction of ministers of religion, it would have been accompanied by circumstances even more regrettable than any which have accompanied it in Ireland; and I believe that my countrymen are ready enough, when the fight is over, to shake hands and become friends again. But we must look facts fairly in the face. I do not wish the House to take my statements. I will refer to higher authority. I do not accept upon this question the opinions of the representatives of the majority. You must consult all parties, and hear the representatives not only of the majority, but also of the minority, and the opinion of those whose duty it was in former days to hold the balance between both, and to decide what should be done in regard to the protection of minorities in Ireland. I do not think I could better impress the House than by a passage which I shall read from a speech of the right hon. Gentleman the Member for Midlothian (Mr. W. E. Gladstone) on the 8th April, 1886, in introducing the Bill for the Government of Ireland. He said—

"Next, I introduce a provision which may seem to be exceptional, but which, in the peculiar circumstances of Ireland, whose history unhappily has been one long chain of internal controversies as well as of external difficulties, is necessary in order that there may be reasonable safeguards for the minority. I am asked why there should be a safeguard for a minority. Will not the minority in Ireland, as in other countries, be able to take care of itself? Are not free institutions, with absolute publicity, the best security that can be given to any minority? We have not yet reached that state of things."

I await with considerable interest utterances from the Front Bench on this question. Have we yet reached that state of things in Ireland? And if we have, to what is the difference to be attributed? Will hon. Members contend that the success of the government of Ireland since 1886 has been such as to render safe now what was then unsafe? What other argument can they adduce?

MR. W. E. GLADSTONE (Edinburgh, Midlothian): The proposals of 1886 are not at all analogous to what you are proposing now.

\*MR. MADDEN: If the right hon. Gentleman will do me the honour of

*Mr. Madden*

listening to my speech for a few moments he will, I think, shortly see that at all events the point is deserving of the consideration of the House. At present I am merely quoting the opinion of the right hon. Gentleman that there was in 1886 a state of things in Ireland which called for exceptional protection of the minority. He said they had not in Ireland arrived at the stage at which minorities could protect themselves. I have also read with great pleasure the speech of the right hon. Gentleman opposite the Member for Bridgeton (Sir G. Trevelyan) upon the First Reading of the Government of Ireland Bill. He presented to the House and to the country a counter-proposal of his own, which he also described in a speech made in the country on 1st July, 1886. He said he was for the fullest measure of local self-government for Ireland that could safely be conceded. That was his idea of local government. On 8th April, 1886, he said:—

"To these bodies should be committed full power of local administration and local taxation, but they should have no executive power over the incidence of local taxation, or over-valuation or assessment, in order that injustice should not be done indirectly between class and class."

The right hon. Gentleman the Member for Bridgeton, then, was in favour of the very fullest measure of local self-government for Ireland that could be safely conceded. What did he see as the danger in such a measure? Indirect injustice between class and class; and can there, I ask, be a stronger statement of the necessity for special protective provisions? If those safeguards were necessary in 1886, will the right hon. Gentleman say that they are now unnecessary? If so, to what is the difference attributable? If I may venture to interpret the interruptions of the right hon. Gentleman the Member for Midlothian, I may anticipate the response that his utterances in 1886 were relative to a different matter. Yes; the right hon. Gentleman accepts my suggestion that they had reference to the right hon. Gentleman's Bill for the government of Ireland. But will it be argued that the same dangers and the same difficulties do not surround the system

of Local Government embodied in this measure. On that point I should like to quote from an instructive speech of the right hon. Gentleman the Member for Newcastle, who in 1886 was evidently of opinion that danger of oppression of the minority and danger of class indirectly oppressing class were greater in the case of such a measure as that now before the House. In his speech on the Second Reading of the Government of Ireland Bill in 1886 the right hon. Gentleman clearly indicated his opinion that Local Boards and other Local Bodies are more likely to act unfairly towards minorities than Central Legislatures. He quoted with approval a statement of the danger that Local Authorities would constantly turn efficient officers away who were not of their own mode of thought. Is not that a danger to be guarded against by an impartial Standing Committee? He also quoted with approval the statement of Lord Salisbury that a Local Authority was more exposed to the temptation of acting unjustly to the minority than a large Central Authority would be, and he observed that this statement embodied an extremely wise and sensible, sound and statesmanlike view. I know the right hon. Gentleman will probably say that he used those words as an argument for giving wider self-government in Ireland.

MR. J. MORLEY (Newcastle-upon-Tyne): I say Lord Salisbury himself used them in that sense, for the purpose of showing the superiority of a large scheme.

\*MR. MADDEN: Quite so; but the connection in which the argument was used cannot alter a matter of fact. The right hon. Gentleman adopts the principle that Local Bodies are more likely to act unfairly to minorities, and are more likely to turn away their officers because they do not agree with them in politics, than a central Legislative Assembly would be. That is a question of fact derived from observation of what goes on in the world, and cannot, therefore, be altered by the circumstance that in the year 1892 we happen to be discussing a measure of Local Government. The state of facts and the inferences to be drawn from the facts are the same whether we

are discussing a measure of Imperial magnitude, or, as at the present moment, a measure for the local administration of affairs. This cannot possibly affect the conclusion drawn from experience that these Local Bodies, in the opinion of the right hon. Gentleman opposite, are specially liable to commit the injustices against which we are endeavouring to afford some protection. If the right hon. Gentleman the Member for Newcastle does not accept the proposition which I am now going to state, he will be obliged to say so when he takes part in this debate. He cannot escape from it. He cannot dissent from my contention that there is special danger of these Local Bodies misusing their powers for the purpose of injuring individuals from whom they differ without unsaying what he said in 1886. If that danger exists, then it is the bounden duty of the Government to do their best in the direction of protection. If we go as far as that, what remains? There remains the question which the hon. Member for West Belfast (Mr. Sexton) declined to argue; and although I have no argument to meet, I deem it my duty to submit some consideration to the House. The law has been suggested as a remedy, but the law only remedies breaches of the law. The law will do no more. Such dangers as those apprehended by the hon. Member for Bridgeton are not breaches of the law; they are abuses of the law, and no legal tribunal will prevent abuses of the law, if the law is in favour of the man who abuses it. Therefore, if the dangers recognised by right hon. Gentlemen opposite exist we must have something more than the ordinary law; and in that case what better tribunal can we have than that embodied in the Bill, one not concerned in county affairs at all, impartial, not subject to the dictates of the Government of the day; a tribunal which will decide not as the Local Government Board do in dissolving Boards of Guardians, or after the manner of the Education Department in dissolving School Boards, *ex informata conscientia*, but will hear evidence, weigh it, act judicially, and will not inflict the severe penalty of dissolution, except in cases which are proved. To what can you appeal with

more confidence than to the impartiality and patriotism of Irish Judges? I see that the right hon. Member for Derby (Sir William Harcourt) smiles, and I am sure that smile is prompted by recollection of the passage which I am about to read. It is an admirable passage. The Government with which the right hon. Gentleman was connected were considering the question of how to deal with certain crimes peculiar to the country, and they came to the conclusion that they could safely entrust to the Irish Judges decisions not only on questions of law, but also of fact, in the most delicate of trials, arising out of the peculiar condition of affairs in the country. The right hon. Gentleman the Member for Derby introduced a Bill in the House. The right hon. Gentleman who has just sat down said that the Irish Judges of late have been subject to some degree of suspicion in regard to impartiality.

MR. SEXTON : Between classes.

\*MR. MADDEN : And in relation to another Bill attacks have been made against the Irish Bench and the Irish Bar—attacks founded partly on ignorance, partly on wilful misrepresentation, and partly on the credulity of some who ought to have known better. What is the opinion of the right hon. Gentleman? I am sure he will not say that he has changed it since 1882. I believe that the highest tribute that can be paid to the Irish Judges was paid by the Government of the right hon. Gentleman the Member for Midlothian in 1882, when, as I have said, he proposed to entrust to them questions of fact, as well as of law, in criminal cases of the most important class intimately connected with, and arising out of, the exceptional circumstances of the country. What did the right hon. Gentleman the Member for Derby say on the 11th May, 1882?

"The Government have come to the conclusion that this responsibility could be nowhere cast except upon the highest and most responsible persons—the guardians of the law in Ireland. The Judges of the land as a body are the only persons who have knowledge, who possess the authority which is adequate to bear such a responsibility. . . . We have a right to appeal with confidence to the patriotism of the Judges of Ireland."

*Mr. Madden*

SIR W. HARCOURT (Derby) : In criminal cases.

\*MR. MADDEN : Does the right hon. Gentleman imagine that the Judges of Ireland and England spend their whole time in deciding criminal cases? The fact is that the Judges, especially the Judges in the Chancery Division, spend a large portion of their time in giving relief in cases of oppression as between one man and another. Why can they not do the same in the case of public bodies? It is a recognised part of the jurisdiction of the Judges, and the observations which the right hon. Gentleman applied to the exercise of such a jurisdiction in criminal cases equally apply to their discharge of their duties in matters which, like this, are not of a criminal character. Let me remind the House that some years ago it was called upon to confer functions, not very different from those which we proposed to confer, on the Judges of the High Court of Justice. It had to deal with the trial of Election Petitions and the presentation of Reports leading directly to proceedings which appear, to my mind, to be infinitely more important than even the important matter of the dissolution of a County Council. I refer to the Reports upon which this House is asked to disfranchise a borough. The finding on the evidence and the presentation of the Report, which are the foundation for the action of the House, were some years ago entrusted by this House to that tribunal to which we propose in this Bill to entrust this question of the dissolution of a County Council. It is essential in the eyes of the Government to give efficient and adequate protection to minorities in Ireland. That is one of the vital principles of the Bill, and I am unable to see to what tribunal that can be more safely entrusted than to the one entrusted by Parliament with analogous functions, and so eloquently described by the right hon. Gentleman opposite. There was one portion of the speech of the hon. Gentleman opposite (Mr. Sexton) to which I must refer. It is this : He stated that the country is asked to prefer this Bill as a settlement of Ireland's case, as an alternative to what is rather loosely described as a



Home Rule Bill ; and that if this Bill is not preferred as a settlement, then we must look out for horrid war. Who ever so described this Bill? Certainly not the First Lord of the Treasury when he introduced it. Is the alternative to Home Rule, the transfer of roads, bridges, and sanitary matters from a competent body which is doing its duty well to an untried body? The two questions cannot be mentioned in the same breath ; they are as different as light and darkness. Which is light and which is darkness is a question which I will not discuss here further than to say that a very considerable cloud of darkness hangs over the alternative scheme, and that the light lies on the Bill before the House. What that light discloses is for the House to say ; but a darkness that may be felt encircles what has been called the alternative of this Bill. It has elsewhere been said that this Bill is an alternative scheme to Home Rule, but that appears to me to be an entire misconception of the case, for what is presented by the Government as the alternative for Home Rule is the entire policy of the Unionist Party, of which this Bill is but a part. What is Home Rule? I do not ask that question with any expectation of getting an answer, but at all events it involves a Parliament sitting in Ireland and legislating for Ireland, and an Executive responsible to that Parliament. I do not know whether that will be considered an adequate definition by the Party opposite, but at all events there underlie any scheme of Home Rule a Legislative Assembly sitting in Dublin and an Executive responsible to that Assembly. How can such a scheme be suggested as an alternative to a measure which transfers local affairs from a competent to an untried body? Let each scheme be considered on its merits, but do not suggest one as the alternative of the other. The alternative of any scheme of Home Rule is the whole policy of the Unionist Party—the government of Ireland, England, and Scotland, under the Imperial Parliament, under equal laws adapted to the special circumstances of each country. And that is the policy which has produced such satisfactory results

in Ireland in the past six years during which it has been tried, that I am almost tempted to doubt whether I can adopt the statement of the right hon. Member for Midlothian (Mr. W. E. Gladstone) that we have not arrived at that particular point in Irish affairs indicated by him. At any rate, we have approached nearer to it than we were six years ago. This Bill is only a part of the Unionist policy to which I have alluded. The effect of that policy so far is that such is the freedom from lawless coercion of the people of Ireland, so that a man is now even free to pay his rent. Why Sir, if I were a farmer in far-off districts of Ireland, I should even prefer a scheme which opened up my county by means of railway communication which the Government has established—and which hon. Members opposite see fit to deride—to the transfer of county administration to an elective body. But though this is not the alternative to Home Rule, it is an important measure, and I will venture to say that there has been no case made out by the hon. Member for West Belfast why this Bill should not be read a second time, unless we are to agree with him and say we will abandon the protection of minorities. If he desires to take issue on that point we shall join it with him. I may remind the House that if circumstances do not arise for putting into force the special clause of this Bill—the existence of which I believe will prevent a great deal of misuse of local powers—then, for all, practical purposes, it will be as though it did not exist. Sir, I commend this Bill to the House as a liberal and generous measure, and upon this I challenge not contradiction, because that will in all probability be forthcoming—but I challenge argument. This Bill will enable the Irish ratepayers to manage their local affairs upon the same lines as ratepayers in England and Scotland at the present time in this country, with those necessary provisions for the special circumstances which have been advocated over and over again by every responsible Minister of every Party which has ever attempted to grapple with this part of the Irish Question. I commend this Bill to the House as a

generous measure, but you must be just before you are generous. I commend it to the House also, because it is just to that minority in Ireland who I believe will—neither on this occasion nor on more important occasions—ever appeal to the people of England for justice and protection in vain.

\*(7.35.) MR. RATHBONE (Carnarvonshire, Arfon): I do not think that the speech of the right hon. Gentleman who has just sat down has in any way adequately answered the very eloquent and incisive remarks of the hon. Member for West Belfast (Mr. Sexton). Judging by the speech of the right hon. Gentleman, I should almost conclude that the accusations of the Opposition that this Bill is merely brought forward in fulfilment of pledges, and not with any idea of passing it, is just. I would not have ventured to address the House on this subject, if I had not been one of the four Members who alone remain of the Committee of seventeen who sat on Irish Local Government and Taxation of Towns for three years—1876-77-78—and studied this question with very great care under the Chairmanship of the now President of the Board of Trade (Sir M. Hicks Beach), and I must regret that this Bill has not been drawn more on the lines of the Report of that Committee, because it appears from the speech of the hon. Member for West Belfast that if it had been so drawn they would have been much more prepared to accept it. That Committee consisted of the President of the Board of Trade as Chairman, seven leading Irish landowners then in the House, seven Irish Home Rulers, one English Conservative Member, and myself, an English Liberal, who was added to the Committee as being considerably interested in Local Government. We went most carefully into the inquiry, and I think all were somewhat surprised to find that in most parts of Ireland far more complete materials for good Local Government existed, and a more general disposition to welcome such improvement, than we were, at the outset of the inquiry, altogether prepared for. Nor had waste or corruption been more extensive than in the English Corporations previous to municipal reform. One thing was very

remarkable and encouraging. The witnesses were summoned both by Conservatives and Home Rulers; from whichever side they came, I believe I may say that all of them united in one thing—the wish to see a better class of men taking an interest in Local Government. They all wanted to get the best men into it, and I think the whole Committee were sanguine that if the right hon. Gentleman who was then Secretary (Sir M. H. Beach) had been allowed to remain Secretary for Ireland, he would have been able to produce, and would have produced, a Local Government Bill of which Conservatives and Liberals might have heartily approved. Another point on which I think we were quite unanimous was that bright hopes might be formed for the future of Ireland, if we could only break down the wall of separation and distrust which exists between different classes there, by bringing into this common work, administrative rather than political or theological, the representatives of all classes, sects, and parties. A great step would thus be taken towards promoting the happiness and prospects of Ireland. We ended in recommending that this should be done by the system originally proposed by the right hon. Member for St. George's, Hanover Square (Mr. Goschen), for the United Kingdom, and which was the other day advocated by the hon. Member for Longford (Mr. T. M. Healy) as better than the form of minority representation contained in the Bill. I agree with the hon. Member for Longford in preferring greatly the division of rates and representation founded upon taxation to the form in the Bill. But one thing I think very important in the form of Local Government and absolutely essential in Ireland; that is, to secure some safe representation of the minority—I do not care how moderate it is in numbers. It is not voting power that is necessary or desirable for them—it is the maintenance in all these bodies of a certain number of men who can with safety and independence bring and keep before the local Governing Bodies the arguments in favour of justice, and administrative experience which may be counter to some excited temporary wave of public opinion, often on some side issue,

*Mr. Madden*

which at times sweeps from local Governing Bodies many of their best members, for advocating measures affecting a single question, in which they may after all prove to be right, and which in any event does not seriously affect their usefulness—I might say their necessity—on such Governing Bodies. I have seen this repeatedly happen in England itself; and in Ireland, where religious and political differences run so high, there would be constant danger of those in whose practical management of local affairs the community would have the most confidence being swept away by some issue of this sort. Now, I was rather surprised to hear the value of the provision for representation of minorities disparaged by Members on both sides of the House, on grounds which I think they will see are not tenable. They said that the minority was so small in many parts of Ireland that they would have no appreciable weight or chance of any representation, whatever provisions were made. But, in so saying, hon. Members forget that the minority in Local Government will not be the same as the minorities in either religion or politics. A substantial Catholic or Protestant landowner or tenant will have just as great an objection to have his property or industry burdened and wasted as if he held the opposite opinions on religious or political matters; and the minority in Local Bodies will, I should expect, very soon be, on administrative questions of management or debt, very different from the minority as decided by religion or politics. This will be especially the case in those very places where one Party is absolutely supreme, and need, therefore, not trouble itself about its political or religious ascendancy, but to whatever political or religious Party men in such a case belong, they will have a very great objection to being either overtaxed or having their local affairs mismanaged. I therefore hope the right hon. Gentleman will adhere with absolute firmness to his determination to have some form of the representation of the minority which will ensure their voice being heard on the local Governing Bodies. There is another point on which I think

we require the most carefully considered provisions—I mean the powers to incur debt. In all Local Governments this should be strictly limited, and the limit never exceeded except by carefully-considered legislation, in order to ensure great prudence. Democracies are very energetic, but they are by no means economical, especially in local expenditure, and the most advanced and experienced ones have found it necessary to make it very difficult to exceed these limits. America has, I think in ten States, put a limitation into their Constitutions so that the amount can only be exceeded by a vote of two-thirds of the constituents and by a majority in two successive Legislatures. Now, Ireland has not the vast resources which have enabled America to surmount difficulties that in Ireland would be ruinous. Twice has the Federal Government been obliged to come to the aid of Local Governments in the different States. At one time there was a considerable repudiation of debt, and these very strict limitations have been passed in consequence of these difficulties. These limitations have stood the test of experience, and of even so severe a test as the fire of Chicago, which destroyed nearly the whole city. The limit in such cases cannot be exceeded on a mere Provisional Order or anything analogous. It is, I repeat, in the Constitution, and cannot be departed from. On the other hand, the way it is enforced is not by calling the local Governing Bodies to account or by suspending their functions, as proposed in the Bill; but by making all action contrary to these limitations illegal, so that he who lends money in contravention of the law has no recourse against the community, and his only hope is of getting the money from the parties who illegally borrowed it; and this is a risk neither lenders nor borrowers are willing to incur. I think it would be most beneficial for Ireland itself and for the United Kingdom, if all parties could now unite in passing a really good Local Government Bill, both for the benefit which such a measure would itself confer on Ireland, and also as preparing the way for that larger measure of self-government which the Liberal Party intend,

and, few doubt, will soon have the opportunity of proposing as a Government measure. Unless I am very much mistaken, no one would receive greater assistance and benefit from the passage of a good Local Government Bill than—if Home Rule be decided on—would the Irish Leaders themselves. I have no doubt that they will be most anxious to use carefully and wisely the powers they seek to obtain; but as anyone acquainted with Ireland is aware, in the long and protracted struggle which has been going on, the bulk of the Irish people have come to believe that everything that money can buy or legislation enact would at once be theirs if they only had a Legislature of their own. And as no means at the disposal of the Irish Government could enable them to do all that would be expected from them, it is most important that certain questions, such as local government and land, should be settled for a time, so that the people might have some period during which to accustom themselves to the use of their new powers, and realise the limitations which attach to what any Government can do. If some such protection is not given for a time to the new Government of Ireland, if they cannot point to certain limitations of powers and time as making patience necessary, in the very stipulations of their new Constitution, they will be driven to measures and expenditure which would soon bring about disaster and bankruptcy. If they do not satisfy all those impossible expectations, they will, without such protection, be swept away to make room for others who will promise to do so. The Local Government Bill might well be passed in this view for a definite period of, say, seven years, at the end of which it would come up for reconsideration with increased experience on all sides. In the meantime the Irish Government will have more work to do than they can do carefully and well.

\*(7.38.) MR. JOHNSTON (Belfast, S.): I regret the tone of the speech of the hon. Member for West Belfast (Mr. Sexton), because I should have imagined that he would have cordially welcomed a proposal of this kind. But I can conceive one reason why the hon. Member and those who act with him are unwilling to support the Second Reading

of this Bill. I think they are a little afraid that if County Councils are established in Ireland there might be such scenes exhibited at those meetings as would deter the people of England from granting them the larger measure which they say they are soon going to obtain. If one member of the County Council were to call another an ass, and this were to be followed by the other saying that he ought to be allowed to stew in his own fat, as we have seen recently Members of this House attacking each other in Dublin, perhaps that would do a great deal to disgust the people of the United Kingdom with the demand for a Parliament in Dublin. The able and exhaustive speech of the Attorney General for Ireland has left little to be said in support of the Bill, but speaking for a large section of people in Ulster who cordially welcome this attempt of the Government to deal with this question, I give the Second Reading of the Bill my most earnest and hearty support. We have heard some remarks about the protection of minorities, and it cannot be doubted by anyone who has studied the history of Ireland that it is absolutely necessary in such a measure as this that some regard should be paid to the protection of minorities. I am just as ready to concede protection to the minority of Roman Catholics in Belfast as to the minority of Protestants in other parts of the country. We are sometimes spoken of as being bigoted and intolerant to those who differ from us, but we are anxious that the greatest possible privileges should be extended to all loyal subjects in Ireland. The only thing we protest against is the attempt to dis sever Ireland from the Crown, and to cut the golden link which connects Ireland to England. This we do resolutely, and shall oppose to the end of the chapter. In supporting the Second Reading we desire to remove some of the grievances which exist in Ireland as compared with England and Scotland, and I cannot conceive why hon. Members opposite who are always calling out for equal laws should oppose this Bill and go in for such wholesale denunciation of the measures that have been introduced by Her Majesty's Government. The present Government have never been

*Mr. Rathbone*



famous for broken pledges and for making promises which they never intended to fulfil. This Bill is in fulfilment of one of the pledges that have been from time to time given to the country, and an attempt is now being made to frustrate the measure by those who pose as the champions of Irish liberty. We have seen measure after measure introduced by the present Government for the amelioration of Ireland; we have seen Bills for the improvement of drainage, and Bills for the extension of railways opposed resolutely by hon. Gentlemen opposite; and it is part of the policy which they consistently pursue to make it appear that Parliament is either unwilling or unable to redress the grievances and right the wrongs of Ireland. But I trust that the House will prove by passing this Bill that it is both willing and able to perform this duty. The hon. Member (Mr. Sexton) does not represent the opinion of the great and progressive city of Belfast. The General Election, for which hon. Members opposite profess themselves so anxious, will certainly be welcome to the people of Ulster, and several more members of the loyal party will be sent to support the present Government, and the place of the hon. Member for West Belfast will know him no more. I cordially support this Bill as a measure of justice for Ireland by a Government which has shown itself anxious to promote the moral and material welfare of that country; and I do so not only in the interest of Ireland but also of Great Britain, feeling that the removal of a grievance will strengthen the bond that holds the two countries together.

\*(8.37.) MR. WEBB (Waterford, W.): Before proceeding to make a few remarks upon the Bill now before the House, I should like to be allowed to say that I have listened with much attention to the speech of the hon. Member for South Belfast, for whom I have a great respect. Though we differ on some matters, and notably in the estimation in which he holds the character of our fellow-countrymen who are Catholics, we agree entirely upon one subject, and that is—a desire for the maintenance of the Union between these countries. The hon. Gentleman speaks of golden links. I

desire likewise that these countries should be united by golden links; I do not desire that they should be united by fetters. I would like to remind the hon. Gentleman of an expression once uttered by the late Mr. John Bright—that the misfortune hitherto in relation to these two countries was this: that the Union was a union between Ulster and Great Britain, but that he would desire that there should be a union between the whole of Ireland and Great Britain. That is the wish I have, and I believe that in desiring that I do not desire anything inimical to the interests of Ulster or those whom the hon. Member for South Belfast represents. This is not merely a Local Government Bill, such as has been already passed for England and Scotland. It is the culmination of a great policy. We have been passing through very bitter and sad times, and we were always promised that the outcome of it would be one great measure which would settle for ever the difficulties in which the two countries find themselves. But this Bill, I believe, will not effect that object, and I intend to vote against it. I do not see how this Bill would relieve the pressure which exists at present upon the time of the House in the endeavour to meet its ever-increasing responsibilities. On the contrary, I rather think it would open up new points of difficulty; and I do not see in any respect how a minute or an hour in the time of this House would be saved by it. It would be a great point in such a Bill as this if the interests of the Protestants in Ireland were properly safeguarded in such a manner as to give no offence to anyone; but I do not think that that has been done by this Bill. What is the position of the Protestants in Ireland? Their position is this: that more than half the Protestants of Ireland—I think about 670,000—are confined to four counties in Ireland; the remaining 600,000 Protestants are scattered all over the rest of Ireland, and are in a hopeless minority in twenty-eight counties. If there was any common assembly in any part of Ireland where representatives from all parts of the country could come together and discuss common interests, I believe it would be impossible for anything to go wrong in the most

remote part of Ireland. In that respect I think the Bill is entirely wanting. I think it is also wanting in not abolishing in any respect the scandals of Castle government, which have been fully admitted for the last forty or fifty years. I think the practical retention of the Grand Jury system, the existence of which has been one of the principal grievances of the country, is a serious blot on the Bill, and a disappointment to all of us who hoped that such a Bill would be an effective measure. I think that it is one of the deepest defects of the Bill that it contains no provision for bringing Irishmen together for the common discussion of their grievances. The hon. Member for South Belfast and others have referred to the present condition of things amongst Irishmen as a proof that they were not fit for that wider administration which we hoped to have obtained by this Bill. That is an entire misreading, I think, of the present state of affairs. On all occasions in Ireland in which we are brought together, and where we are allowed to settle our own differences amicably together, we get on as well as they do in any other country. Our public companies are, in proportion to their means, quite as well and purely managed as your public companies. I suppose every week there are at least one hundred Boards of Guardians sitting all over Ireland; in these Boards of Guardians I think there is very fair amity. And you must remember this unfortunate fact: that in Ireland the large end of the telescope is turned towards all our differences and troubles; while here in this country it is the interest of everyone to minimise and hide them away. The great differences that have occurred in Ireland, and that are now going on there, all arose out of the condition of Ireland as compared with this country. Then there is nothing in this Bill to rouse our enthusiasm, or to attract men of high intelligence or patriotic aims in the country. I regard that as a very great defect of this Bill. The cardinal necessity for any measure of Local Government for Ireland should be that real and true responsibility should be thrown upon the people; and I protest that there is not in this Bill

real and true responsibility. The effect of the present state of things is that whatever wrongs there are in our social state we try to throw on other people and another Government. I am not one of those who believe that all our ills result from misgovernment; a great many of them result from ourselves. But until we are taught to feel and know that in the last resort in Ireland, as in every other country, good government must spring from ourselves, we cannot change in our manner. Nothing sobers a man like responsibility. We see cases occurring constantly where youngmen without responsibility exhibit little power to effect much; but put responsibilities on their shoulders, and they soon develop qualities that you can hardly imagine them to possess. So I believe with Ireland. When real responsibility is thrown upon us, when the door is shut on our being able to throw our misfortunes on others, then we shall develop new qualities, and bring about a state of things entirely different to that which exists. In Ireland we know permanent officials exercise an influence far beyond what they have ever exercised in England; and that Local Government in Ireland should be effective in face of such a dead weight of official and bureaucratic power, it would appear to me essential that it should be even of a wider character than the Local Government created in England and Scotland. It is impossible that we can accept this Bill as in any degree a settlement of the Local Government Question in Ireland. We all must acknowledge the brilliant abilities of the Leader of this House; but it appears to me that his principal power of mind consists in persuading himself and others that things are not what they are—that coercion is not coercion, that injustice is not injustice, and that inequality is equality. How it is possible to suppose that the democracy of England and Scotland, upon whom our hopes are centred, will accept the statement that this Bill runs on the same lines as the English and Scotch Bills passes my comprehension. The Attorney General for Ireland spoke of the darkness that hangs over our side of the House, and the complete success that has attended the measures

*Mr. Webb*

passed by the Government. I do not believe, so long as we have any trust in the principles of real justice, that any darkness will hang over the opinions that are now happily held on this side of the House regarding the future government of Ireland. I believe whatever discouragements cross our path they will be overcome. But as for the present system, it is strange how people can persuade themselves that the effect upon us has not been directly contrary to what they suppose. I cannot see in what respect the system which you desire to maintain has been effectual. As I see this policy developing itself as it is finally developed in this Bill, bitter hatred rises in my breast against the present system, and a stronger determination to oppose it. It is because I believe that the policy embodied in this Bill will, instead of knitting us together, raise the worst feelings and passions, and it is because I desire that this House should be able to consider the happiness and peace of the millions depending upon it, and that the destinies of this Empire should be really high and holy, that I shall vote against the Second Reading of this measure, looking forward with the most perfect confidence to the great measure which will shortly be introduced by the right hon. Gentleman the Member for Midlothian.

(9.0.) MR. COGHILL (Newcastle-under-Lyme): We must all recognise the moderation of the speech of the hon. Member who has just sat down, but when he speaks of orderly proceedings of companies in Dublin, we can hardly accept that statement with the proceedings of the *Freeman's Journal* Company fresh in our minds. I share the regret expressed by the hon. Member for West Belfast at the absence of the hon. Member for Derry City, for he would, at all events, have had the advantage of speaking in the name of a united Party. I believe that that Party is extremely small, consisting only of two persons, and even they are sometimes divided. The hon. Member for West Belfast has not profited by the advice given by the hon. Member for Derry, when the Bill was read a first time. He then said that the best thing to be done with the Bill was to burn it; but the hon. Member for West

Belfast has devoted a speech of an hour and a half's duration to an elaborate analysis and criticism of the measure. It therefore seems that the Bill is worth more than being put at the back of the fire. I am surprised that any Irish Member should have moved the rejection of this Bill. We all remember that during the last six years Irish Members have been going over England, Scotland, and Wales, telling the electors that all they wanted was the opportunity of managing their own local affairs; and it was because English people felt the Irish had not the same power as themselves of managing their own local business that the Irish had so much sympathy manifested towards them at by-elections. But after the action of the hon. Member for West Belfast to-night, I think the electors of this country are in a position to estimate correctly the value of the grievance complained of, and the sincerity of the speeches with which they have been flooded. I quite accept the statement that the issue at the last Election was whether we were to have the scheme of Home Rule proposed by the right hon. Member for Midlothian or the alternative of Local Government, and I must confess that I have the complaint to make against Her Majesty's Government that this Bill has been unduly delayed. In the years which have passed since the last General Election, the first Session was taken up with the Crimes Act and the Land Purchase Act; the next Session saw the English Local Government Act; the next the Scotch Local Government Act; 1890 was wasted with the unfortunate proposals of the Chancellor of the Exchequer; and in 1891 we had the Irish Land Purchase Act. The Irish Local Government Bill has been reserved for this year, although it has been frequently mentioned in the Queen's Speech. I think that in this matter the Government have made a very great mistake. They have introduced three important measures dealing with Land Purchase in Ireland in order to remove discontent; but have they thereby satisfied the Irish people in the slightest degree? For my part, I do not believe that they have. The elections in Ireland show no signs of



the discontent having been removed. I am quite aware that the First Lord of the Treasury may reply, "Supposing we had brought in a Bill establishing Local Government earlier, would that have satisfied the Irish, or removed any discontent or ill-feeling in Ireland?" I quite agree that in all probability it would not have satisfied the Irish people or made them more contented, but it would have had this important effect: that it would have cut away the ground from under the people in England and Scotland who sympathise with the Irish Members at the present time. I quite agree with the hon. Member who spoke last that this Bill does not go far enough. But that is a remark which can be applied with the same force, I think, to the English Bill and to the Scotch Bill. None of these Bills go far enough in the direction of devolution of business from this House. It is quite true that the County Council is, comparatively speaking, a recent experiment; but if we want to find a real means for the relief of the congestion of the business of this House, it is to the County Council we must turn. Most Members will agree with me that a great part of the business which is now transacted here might, with far greater benefit to the country, be transacted by the different County Councils. Private Bills can be settled far more expeditiously, far more cheaply, and far more efficiently, by the County Councils than they can before the Committees upstairs at the present time. There are two other matters which I looked to the Government to deal with in connection with this Bill—I mean the system known as Dublin Castle and the system of Viceroyalties. It is greatly to be regretted that the Government have not seen their way definitely to make some statement that the system of government by Viceroy should come to an end. I believe the only other Possession where a Viceroy holds office is that of India, and why should Her Majesty's Government try to identify Ireland with India? Why should they seek to make Ireland a separate entity, as distinct from Scotland and other parts of the United Kingdom? I saw a letter in the paper not very long ago in which the writer pointed out that we have

tried all the Viceroys from A (Aberdeen) to Z (Zetland); and I do think, now that we have come to the last letter of the alphabet, it is time that the government by the system of Viceroyalty should come to an end. How can we expect Irish Members to show any amount of loyalty if they are always called upon to pay their allegiance to only a sham Royalty, and to such a farce as the Viceroyalty system of Dublin? With this Bill I think we may say that the Unionist programme of Irish legislation is now complete. The responsibility of rejecting this Bill must rest with Members below the Gangway. A General Election is not very far off, and the electors will have an opportunity of showing whether they want any more Irish legislation, or whether they have had enough during the past six years. The Unionist programme is complete; we shall give no more Irish legislation, and in the future we shall be able to turn our attention, if the Unionist Government is returned, to the reform of the grievances of England, Scotland, and Wales. If, on the other hand, a Gladstonian Government is returned to power, then we shall have to go through the whole weary round of Irish legislation once more, and there will be opened up before us an endless vista of the same sort of legislation as we have been dealing with during the past six years. I should like to point out that this Irish policy of the Gladstonians is not particularly popular in the country at the present time. It is not popular, at all events, in the rural districts of England. I saw the other day that a late Under Secretary went down into the country to make a speech—it is true it was to the agricultural labourers that the hon. Member for West Nottingham (Mr. Broadhurst) was speaking—and it will be hardly credible that that hon. Member in the whole of his speech never once alluded to the subject of Home Rule. He knows that it is not a popular question in the agricultural constituencies—that, in fact, it is there extremely distasteful. If, therefore, I might venture to give any advice to the Irish Members, I would strongly recommend them to accept this Bill, and for this reason: that they are a little uncertain as

*Mr. Coghill*



to what will happen at the next General Election. Even if the Gladstonian Party came into power, do they think that they will get all that they are bargaining for? Whilst if the Unionist Party are returned with a majority, they will have lost their chance. They should ascertain clearly what it is they are going to get if the Gladstonians come into power. Speaking at White-chapel in January, the right hon. Gentleman the Member for Derby (Sir W. Harcourt) said—

“I am satisfied that the Nationalist Party in Ireland, as a whole, and the Liberal Party in Great Britain, are willing to entrust this task to the hands of Mr. Gladstone . . . upon the general lines of the policy he has already announced, with such modifications as the circumstances of the case may require.”

Shortly afterwards the hon. Member for Cork (Mr. William O'Brien) said—

“I take it that we are all united in demanding that the Irish Parliament, while it acts within its own province, shall be as free from Imperial meddling as the Parliaments of Australia or Canada—that is to say, practically as free as air.”

Is that the kind of Parliament the Gladstonians are going to give? A Gladstonian speaker at Rossendale referred the other day to the Home Rule Bill as one which would give the Irish people the right to deal with gas, water, railways, electricity, and one or two other subjects. Is that the kind of Home Rule the Irish people will accept? Speaking at Dungarvan in October last, the hon. Member for East Mayo (Mr. Dillon) also said—

“We stand here under the old banner of independent Irish nationality.”

I think we can all understand that speech. Then, again, on St. Patrick's Day, in 1891, the hon. Member for Derry City said at a banquet in London—

“We stand for ‘Ireland a nation’: that is our purpose in public and political life. We open our meeting to-night with that toast, and we propose to open every such meeting with that toast till Ireland is really and in actual sense a nation.”

Are those the views that are accepted by the hon. Member for West Leeds? If so, we have his authority that Ireland is to be a separate nation. Then, again, Archbishop Croke, the spiritual adviser of the Nationalist Party, speaking at Clerihan in May, 1891, said—

“For two hundred years priests and people have been fighting in the constitutional struggle for freedom and have brought us within strictly measurable distance of what we ultimately aim at—namely, the legislative independence of our country.”

But that is what the right hon. Member for Derby said could not be granted. Archbishop Croke also said in another speech—

\*MR. SPEAKER: The hon. Member should confine himself to the subjects of the Bill. The House is not now discussing the question of Home Rule.

MR. COGHILL: I thought I should be in order in speaking upon the alternative to be offered in place of this Bill, but I will not pursue the question further. I will only say, in conclusion, that if Ireland merely wants Local Government, I am in favour of granting her request as fully and generously as possible, but the creation of a Local Parliament for Ireland is impossible. I think the Government will do well to make this Bill a wide and genuine measure, and, so far as the Second Reading is concerned, I am surprised there is any objection to it. If the Bill is now read a second time it could, if necessary, be enlarged and amplified in Committee, so as to give to Ireland every power associated with Local Government that could safely be given to either England, Scotland, or Wales.

(9.26.) MR. BLANE (Armagh, S.): I think that anyone who has read this Bill will have come to the conclusion that it will give to Ireland very little power—not even the same privileges that have been conferred by the English Local Government Bill. The taxing power given to the Irish County Councils will be very limited, being confined to taxation under the Valuation Acts. Under those Acts, the burden of taxation falls upon the occupiers and not upon the landowners. The landowners will, therefore, still remain free from the payments which ought to come out of property. Evicting landlords do not contribute one penny to the support of the wretched people whom they evict, whilst the tenants, when in the workhouse, are supported out of the rates paid by the occupiers, and not by the owners. I contend that power should be given to the Local

Assemblies to remedy such injustice as that. Another defect of the Bill is that it will not give the County Councils control over the police. In England the elected authorities have such control. Why should not, then, such a control be given to Ireland? Then, further, we are not allowed under this Bill the power of judicial appointment, although in England you have the power to elect aldermen who, I believe, dispense justice as magistrates. Why do you not give to us equal power? Are we untrustworthy in that respect? For my part, I do not think the Irish sense of justice is less than that of Englishmen. And it ought to be remembered that this refusal to give us powers in our own country is rather an expensive matter to the British taxpayer, for whom, however, I do not care much, whom I like the better, indeed, the more he pays. I am not the guardian of his purse. Ireland and India are the only two sections of the Empire left without central government, and they absorb half your naval and military force. That, then, is the result of your proceeding. Some people scorn the demand that we should have power, and the answer we get is that British influence would be imperilled. But what of Canada, of the Cape, of New South Wales? These are far away, but Ireland is on our coast. The Isle of Man is a little closer, and it even has self-government. If we were equally entrusted with self-government, Ireland would cease to be an expensive portion of the Empire; but it must be self-government in the truest sense of the term. The broader the base, the firmer will be the superstructure. We are sometimes told that if Ireland had a Government of its own we should invite the Germans or perhaps send for the Russians; but the fact is that wherever you have given self-government those portions of the Empire have ceased to be a strain upon your military force. Take the case of Australia.

\*MR. SPEAKER: The hon. Member is not discussing the Local Government Bill. He is going into the relations between this country and its colonies.

MR. BLANE: Perhaps I have gone a little beyond the Bill. To return, however. What we demand is control of the police, and the judiciary and of

*Mr. Blane*

taxation. All these points are absent. Why is something still left to be accomplished? But the Tory Party is always late. I remember they once denounced land legislation, but later they advanced as they were forced by their opponents. Our agitation, which is so often used as an argument against us, has reacted on English life. You would never have had judicial tribunals for the adjustment of rents but for Irish contentions which you scorned, and had later to embody in your legislation. We ask you not to refuse us the rights and privileges which belong to any free people. Of course, you can tax us as you like, because you can do just as you choose with a people disarmed by house-to-house search. Action in that matter was the work of the Government of which the right hon. Member for Midlothian (Mr. W. E. Gladstone) was the head. But the Party to which I belong do not care for either of the Parties; we are not their serfs in any sense of the term. Those of us who made a successful fight against coming under the control of the Radical Party have made a similar fight against the Tory Party; and from both Parties in this House have we got imprisonment, packed juries, and changed venues. Sometimes it is urged against extensive self-government that the Catholic majority would oppress their Protestant brothers; but I venture to say that no person, either in or out of the House, not even the hon. Member for South Belfast (Mr. Johnston), would go further in the defence of the rights and liberties of the minorities than I would. And in this connection I may remind the House that the section to which I belong, although mainly Catholic, resisted the deposition of the late Mr. Parnell from the Leadership.

\*MR. SPEAKER: I am afraid the hon. Member has gone still wider of the subject.

MR. BLANE: Of course, Sir, I have travelled a little further than I should have done, but I simply intended to emphasise the fact that there is no foundation for the charges made against us. We stood in defence of the Protestant, we carried his coffin to the grave; and I venture to say therefore that it does not lie in the mouth of any hon.

Member to charge us with intent on the liberties and rights of the Protestants.

MR. JOHNSTON: I did not intend to have alluded to the section of the Irish National Party to which the hon. Member belongs.

MR. BLANE: The Party I represent claim the right to think for themselves in matters political, and we only accept the dictation of any man just so far as it coincides with our own views. Sound reasoning is not the prescriptive property of any man. To return to the subject of Local Government and the allegation of oppression, I believe that if we had the proper control of our own affairs, the minority in Ireland—educated, technically skilled, and men of ability—would take the foremost position in the Government. Not until we receive that measure of government will the strife between England and Ireland be ended.

MR. AMBROSE (Middlesex, Harrow): The hon. Member who has just sat down has reproduced the demands which have been made upon our country—demands that the Irish people shall have the management of their own affairs. Everybody believes that it is right a locality should have the management of its own affairs, always understanding that to mean its own local affairs. There can be no doubt whatever that in many of the bye-elections it has been a most formidable argument that the Irish people should have the management of their own affairs. Take for instance the election at Rossendale. If I am rightly informed that election was determined mainly upon the illustration of electric lighting. It was submitted that the Irish people should have the power of determining questions of that kind. Now, I concede the principle that every locality should have the right to manage its own affairs, but that must be understood rightly to mean its own local affairs. In discussing whether this Bill is what it professes to be it is important to consider what are local questions. This Bill is said to be defective, if I correctly gather the meaning of hon. Members opposite who oppose it, not because it is not a good Local Government Bill, but because it is not more than that—because it does not give to Ireland, or particular parts of

Ireland, powers which are altogether beyond those of any ordinary Local Governing Body whatever. Take for instance the question of the police. Is that a local matter? Suppose we were to concede to an Executive Government in Ireland the entire management of the Constabulary—a body of fourteen thousand men. In that case Ireland would be practically independent of England, and the liberties of Englishmen and all sections of Irishmen would be subject to the control of that Executive Body and the police. Take also the question of the Land Laws. That is not a matter of local government at all. And why? Because land in the south may belong to an Irishman in the north, and *vice versa*, and land in either the north or the south may belong to an Englishman or a Scotchman. Is a Local Government Bill to vest in any Local Governing Body in Ireland power to make laws which may affect the rights of either Englishmen or Scotchmen? Sir, that is not local government at all; it is Imperial government. What would a Lancashire man say if the London County Council attempted to alter laws by which property is transferred or devolves? He would say that was not a power that properly belongs to a local Governing Body. A London man, too, would object to a Lancashire County Council deciding upon any question of property in which his rights would be in the slightest degree affected; and he would say—and say properly—that an alteration of the Land Laws which might affect any of Her Majesty's subjects, whether in England, Ireland, or Scotland, was not a matter to be dealt with by a body established for Local Government purposes. In the English Local Government Bill you find none of these things. The English police are not put into the hands of the County Council, but into the hands of a Joint Committee composed of Magistrates representing the Crown on the one hand, and the County Council on the other, and this subject to considerable restrictions. And then as to the Land Laws—which is the great point in dispute in regard to this Bill—no power to meddle with those laws is transferred to the English County Councils. I have gone through the Bill

now before the House, and, as far as I can see, it is distinctly on the lines of the English Local Government Act. For my own part, Sir, I was not in sympathy with that Act. It will be within the recollection of the House that I opposed it, and that I only desisted from doing so when I found I was in an absolute minority, and that continued opposition would have amounted merely to obstruction. In my humble view the magistrates had discharged their duties efficiently, and there was no ground for the transfer of powers from them to elective bodies. I was also of opinion that there was no ground for the abolition of the property vote, because I consider that representation and taxation should go together. To a large extent that Act put into the hands of the people who do not pay rates the power of spending them. Well, Sir, that has been done in reference to England, and I find all that is now proposed for Ireland. The powers which have hitherto been vested in the Grand Juries, equivalent to the magistrates in England, are to be transferred to the County Councils, the constitution of which under this Bill is exactly analogous to that of the County Councils in England. The powers hitherto vested in the nominees of the Crown are now to be vested in an assembly elected by the ratepayers on the principle of "One Man One Vote," so that every man who pays rates—whether a large or a small amount—will have the opportunity of recording his vote. I fail to see in what respect that is not a liberal measure. I own it is not a Bill by which Imperial power is to be transferred to any local assembly in Ireland, and that it will not enable Local Bodies to alter the Land Laws, or make it possible for one section of the community to dispossess another section. Neither will it enable the Land League to transfer its jurisdiction from the secret conclave to the County Council, and so dispossess the landlord in favour of the tenant. But it will place Ireland, with one or two exceptions, in exactly the same position as the English people with regard to Local Government. The hon. Member for West Belfast (Mr. Sexton) says he will not have this Bill, and throws

*Mr. Ambrose*

it back with scorn. I want to know what is the foundation for his scorn? Is it because Ireland is not placed in a better position than England? ("No!") Then why?

MR. SEXTON: Because Ireland is not placed in as good a position as England.

MR. AMBROSE: But the hon. Member has not pointed out a single instance of powers given to local Governing Bodies in England that are not equally given under this Bill to County Councils in Ireland, except in one or two cases with which I will deal presently. The hon. Members' objections seem to be centred in Clause 5, which gives power to any twenty cess-payers of a county to apply for the removal of a County or Baronial Council on the ground of corruption, malversation, or oppression, or persistent disobedience to the law. He says this is an insult to the Irish people. May I ask, Mr. Speaker, if there is no ground for protecting the minority of the Irish people by such laws as these? Does the hon. Member deny that the Boards of Guardians for Limerick and Cork used their powers contrary to the law and for political purposes?

MR. SEXTON: They were half landlords.

MR. AMBROSE: I say it is a matter of history that, instead of administering the Poor Law as they should have done, they passed political resolutions, and misused the powers vested in them for the oppression of particular individuals. Does the hon. Member deny there was a Land League and a Plan of Campaign, and that the Commission found there was a conspiracy to impoverish land-owners and drive them from Ireland? I ask this House, and the country through this House, whether it would be right to constitute a Local Authority in Ireland without providing proper safeguards for the protection of the minority? Would it be right to incorporate the Land League and leave the founders of the Plan of Campaign to work their wicked will on the loyal subjects of the Crown? It would be little less than treason on the part of Her Majesty's Government to confer powers such as are conferred in this Bill without proper checks to prevent those powers being misused and being turned against the



poor and loyal subjects of the Crown—to prevent these powers being used by the weak against the strong. But I would call attention to the fact that under the fifth clause, before anything can be done, there must be a *fiat* of a Judge of Assize. Without that *fiat* proceedings cannot even be initiated. Does the hon. Member mean to say that there is any Judge on the Irish Bench wicked enough and corrupt enough to sanction a Petition of this kind unless ground is shown for it? Since I have sat in this House I have occasionally heard points made against what are called on the other side the “Removables”; but I have heard no word against any Judge of the Superior Courts, and I believe in their absolute impartiality. Do hon. Members mean to say that the liberties of the Irish people are endangered by this clause, when a Petition cannot even be presented without the sanction of a Judge? After that the Petition has to be tried, and it may be dismissed with costs—a penalty which is surely sufficient to secure that a Petition will not be presented without good grounds. Or is it that hon. Members mean that there is to be no check on corruption, malversation, oppression, and persistent disobedience of the law? If that is what they mean let them say so, and let the people of England understand it. Let them go to the country upon it, and if this Bill is to be rejected let us know the real grounds for its rejection. I am not going to give my adherence to this Bill on this clause. It may or it may not be necessary. I am not sure that it is; but how does it affect the Bill? It is separate from every other part of the Bill, and any objection there may be to it should be brought forward at the Committee stage, and not pressed now on the Second Reading. For my own part, I never believed this Bill to be necessary. I did not believe the Local Government Bill for England to be necessary; but that has been passed, and here is this Bill for us to deal with. If it accomplishes no other purpose, it will stop the cry hereafter that the Irish people ought to have the power of managing their own affairs. But they have no right to manage my

affairs, or the affairs of any other English subject. The position is utterly unwarranted, and I have been absolutely disappointed by the want of argument on the other side. I expected to find something to grapple with in the way of opposition; but I have heard nothing, and I think it is idle to occupy the time of the House for a week, or even for two nights, with this Debate.

(10.13.) MR. LABOUCHERE (Northampton): Since coming back from dinner I have been privileged to hear two valuable speeches. The speech of the hon. Member for Armagh (Mr. Blane) reminded me of St. Athanasius. It was *Athanasius contra mundum*. The hon. Member for Harrow (Mr. Ambrose) is so legal and learned in his speeches that I confess I have considerable difficulty in following him; but I gather that he took a certain pride in having opposed the Local Government Bill because it went too far. I am not, therefore, surprised that he approves, in a sort of modified way, of this Bill, for of this Bill he cannot complain that it goes too far. His approval of it is limited, however, because he said that he did not himself deem the Bill to be necessary, and it would only become a perfect Bill after it had gone into Committee, and after he had had the opportunity of proposing a considerable number of Amendments to it. Whether it will go into Committee or not I do not know. I have heard it complained that Home Rule is involved in absolute darkness whereas this measure is in brilliant light. I think that the curiosity exhibited by hon. Gentlemen opposite as to the details of the Home Rule Bill is positively indiscreet. We have stated the principle upon which that Bill will be based, and I think it would be most unconstitutional on the part of the Leaders of the Constitutional Party of which I am a humble Member, were they to go into details at the present moment. We know that the General Election is not very far off, and we know that the question to be submitted to the electors will be whether they are in favour of the

principle of Home Rule, or whether they are opposed to that principle. If they are in favour of the principle, it will then be for my Leaders to submit to the House and to the country a full measure of Home Rule, and then will be the time for hon. Gentlemen if they object to those details, while accepting the verdict of the country and assenting to the Second Reading, to criticise the way in which we propose to deal with the matter. Therefore, I am somewhat surprised that the Attorney General for Ireland should have dragged the question of Home Rule into the present discussion. We are now dealing with a Bill which most assuredly is not Home Rule for Ireland. It is not even a Local Government Bill for Ireland, except that the Government, after their manner of putting a Liberal label to palm off their shoddy wares, have put as the title the words "Local Government Bill for Ireland." I think it would be useful to look at the conduct of the Government in the matter of Irish Home Rule. Before the Election the cry on the part of the Government was that there was to be no coercion; there was to be no Home Rule; but there was to be a third course, which was Local Self-Government for Ireland. The present Duke of Devonshire and the right hon. Member for West Birmingham (Mr. J. Chamberlain) passed their time stumping the country in support of the Tory Government, and they absolutely said, in relation to this measure of Local Self-Government, that it was to be as generous as that given to England and Scotland. When Parliament met the noble Lord the Member for Paddington (Lord R. Churchill) was the Leader of the House, and he made a statement to the House. He said they intended to deal with the question of Local Self-Government, and there was to be similarity and simultaneity in regard to Ireland and England and Scotland. Domestic troubles in the Party opposite led to the retirement of the noble Lord, and so soon as he had withdrawn the Government threw over everything he had said, and had the effrontery to state that what he had said was a mere pious opinion of his own, and did not

*Mr. Labouchere*

pledge the Government. I remember the debate, and the noble Lord, in defending himself, pointed out that the words he had used had been written down at the time and submitted to Lord Salisbury and the Cabinet, and absolutely bound Lord Salisbury and the Cabinet. That was, I believe, admitted by the then Leader of the House, the late Mr. Smith. Unquestionably there was a distinct pledge given at the Election that a large measure of Local Self-Government would be given to Ireland and there was further a pledge on the part of the Leader of the Conservative Party in this House that the Conservative Party intended to treat the three countries with similarity and simultaneity. Well, Sir, six years have passed since then, and we have been anxiously waiting for this Local Government Bill for Ireland. The English Bill has been passed, so the Government did not keep their promise of simultaneity. Each year the Bill has been promised, but the promise has not been kept. The Government have had plenty of time, but they have been constantly misusing it, and obstructing themselves by bringing in Bills and withdrawing them. We have been denounced for that obstruction, but it is the old story of the wolf and the lamb. We have hindered bad Bills, and, I trust, shall always continue to do so. There was a certain Wheel and Van Bill, and a Bill to compensate publicans, which we obstructed, and so saved the country a very great deal of money. We—but perhaps I ought to speak for myself—I obstructed the Irish Land Bill of the Government. Why did I do that? Because at the Election the Conservatives and Liberal Unionists distinctly stated that one reason why the right hon. Member for Midlothian ought not to be entrusted with the destinies of this country was that if he were he would possibly bring in an Irish Land Bill, pledging the credit of the English taxpayer; therefore, I considered myself perfectly justified in my obstruction. When the Government bring in a Bill which we can benevolently regard as a good one we help its progress, and endeavour to expand it, and give it a more Liberal character.

The Government has at last made up its mind, and brought in the Local Government Bill for Ireland. But this is the very last Session of this Parliament, and even that is half gone, for the Government have, first on this excuse and then on that, put off the Second Reading of the Bill till a week or so before Whitsuntide. An hon. Gentleman opposite endeavoured to show that this Bill was exactly on the same lines as the English Bill. I shall look to the First Lord of the Treasury, when he addresses the House, to convince him that there is the widest difference between them. There is, however, some excuse for the Government, as the circumstances under which they are obliged to bring in the Bill are very peculiar. The Conservative Party held a great gathering of its followers at Birmingham, and there a resolution in favour of Local Government for Ireland was moved. But somebody moved the previous question and it was carried, so that at that moment the Conservative Party, as represented by that gathering, were entirely opposed to the idea of such a Bill. Then there came the speech of the First Lord of the Treasury which damned the Bill with faint praise, and if I had not been against the Bill before I should have been convinced that it was utterly worthless by the oration made against it by the right hon. Gentleman who brought it in. Why did the Government bring in the Bill? Not to redeem their pledges to the country, which they have perpetually violated; but, I gather, it is because they have given some sort of pledge to the Liberal Unionists, and they are in such terror of the Liberal Unionists turning against them—though I can assure them they will not—that they are ready to do anything or submit to anything when the Liberal Unionists order it. We have a right to know as soon as possible from the First Lord of the Treasury if he intends to go on with the Bill. Is it his deliberate intention that the Session should continue till the Bill is passed? If it is not, it is really a monstrous waste of time that we should be called upon to discuss the Second Reading. The days of the Government are num-

bered; why are they squandering their last days? This is a death-bed repentance, but they are not sincere even in this. They are in a cleft stick. They have to keep their pledge to the Liberal Unionists, and they have before them the Resolution of the Tory Party at Birmingham; so they have hit upon a device, and hope to get their Party to eat their own words at Birmingham, and to vote for the Second Reading with the clear and distinct understanding that it will be a mere recognition of discipline, and that the measure will really never be turned into an Act. It is playing with the House to ask it to aid in a farce of this nature. I am not going into the merits, or rather the demerits, of the Bill; that is useless. I shall certainly be surprised at the effrontery of anybody who will get up, after the speech of the hon. Member for West Belfast (Mr. Sexton), and say that the Bill is not as bad a Bill as ever was conceived, and that it is not one of the most gross and impudent of shams when called a Local Government Bill. It is enough for me that the Irish Members do not approve of the Bill. If the Members for Ulster were in a majority in the House I should vote for every proposal they made. As it is I vote with my hon. Friends here, because they represent the majority in Ireland; and what I want to do in this House is, not to pretend that I know better about Ireland than the Irishmen, but to try and find out what the opinion of the majority of Irishmen is and then act upon that opinion. Anyhow, I think it is almost indecent to ask us to go into this Bill now. The election is close at hand, and the country will then be asked if it is in favour of Home Rule or is opposed to it. If it is in favour of Home Rule, evidently we are wasting our time, for it is to an Irish Parliament we shall have to leave the settlement of the Local Government of Ireland. If the country is opposed to Home Rule, so that it is likely to be postponed for some years, no one would force a Bill like this on Ireland, for it would be expanded even by the Tories. The Conservatives were right in their objections to the Bill at Birmingham. You say that the Irish Nationalists are conspir-

ing against the Empire. Do you suppose if the Unionist Party wins at the General Election the efforts to obtain Home Rule for Ireland will cease? No, they will increase, and from the Tory standpoint it is absurd to give them Local Councils which will really be most valuable centres for agitation in favour of Home Rule. The Tories have been called the stupid party, and, in bringing in this Bill, they have amply justified the name. You must either give Ireland Home Rule or rule yourself; trust Ireland or coerce her. I say this because the Prime Minister has just urged a large section of the Irish people to break out into rebellion. I suppose the Prime Minister despairs of victory at the polls, and hesitates to embark the other House in an opposition to the people of England, the result of which would be that they would be swept away from their place; and, therefore, he appeals to the Orangemen to come out and fight for them. I know perfectly well the Prime Minister has denied this, but I think that denial is like that of the person who recommended that a certain man's ears should not be nailed to a post, and then said that he had not advised that anybody's ears should be nailed to the post. We had the noble Lord the Member for Paddington (Lord R. Churchill), who said at the last election that "Ulster will fight, and Ulster is right," and that, so far as I can see, in more elaborate and perhaps a little more cautious language, is precisely what the Prime Minister said the other day to the Primrose League ladies. I am always glad to find myself in unison with the Conservative Party, and, assuming their views are those expressed at Birmingham, I am certainly in unison with the Conservative Party, although I arrive at the conclusion on different grounds. The difference between us is that my vote will go with my opinion; their vote will go one way and their opinion the other. The burthen of my remarks is that I want to know from the First Lord of the Treasury whether these proceedings on the Bill are a mere farce, or whether it is intended to press it forward and pass it into law during the present Parliament?

*Mr. Labouchere*

That is what we want to know; and I think I do not exaggerate when I say that that is what the country, Conservative and Liberal alike, is also anxious to know.

(10.36.) MR. WYNDHAM (Dover): The hon. Member for Northampton has concluded his interesting and amusing speech with a question which I am wholly incapable of answering. Therefore, I pass over his last remarks. Earlier in his speech he appeared before us in a twofold capacity, either of which he is admittedly well entitled to fill. He appeared as a recognised authority upon Constitutional practice, and he posed as the sympathetic friend of the Tory Party. The advice which he offered us in the latter capacity is that of one who has wept over our woes at Birmingham. Upon that I do not propose to follow him. But his advice as a recognised authority on Constitutional practice is very relevant to the subject. The usual practice which is adopted when any measure is put before the country is to accept or reject the principle, and then criticise the details. I ask anybody here who has listened to the Debate on the First Reading of this Bill, or to the eloquent speech of the hon. Member for West Belfast this afternoon, whether that process has been followed? We have had ample criticism of the details of this Bill. The principle has been rejected, I admit; but no reason for rejecting it has been put forward before this House. The hon. Gentleman the Member for Northampton was very anxious to divine our reason for wishing to have the Second Reading of this Bill passed; but it would be far more difficult to discover the reasons that have actuated hon. Gentlemen opposite in wishing to have this Bill read a second time this day six months. Take the eloquent speech of the hon. Member for West Belfast. We had the usual exordium upon the Coercion Act. That was followed by a long prelude, consisting



entirely of minute criticism of the various clauses in this Bill. There were some points—many of them good debating points—such as we are accustomed to expect from the hon. Gentleman. In the part about the illiterate vote or the cumulative vote, he seemed to me to mislead the House, though, perhaps, unintentionally. He suggested that the town of Belfast had been excluded from the franchise under this Bill, so that 70,000 Catholics could not obtain power in the Corporation of that town. But it must have occurred to him, on reflection, that that argument would equally apply to Dublin; that Dublin was also excluded from the cumulative vote provision of this Bill, and undoubtedly this provision would have the effect of placing a large number of Unionists upon the Corporation of Dublin. But I pass by these minor points in the major portion of the hon. Gentleman's speech, which would have been more suited to the Committee stage of the Bill. In the only part of it, so far as I could see, in which he gave any *prima facie* reason to the House for declining to read the Bill a second time, he advanced two such reasons; one only to dismiss it; but he said that, in his opinion, a Home Rule Parliament sitting in Dublin, and such a Parliament alone, could properly frame a system of Local Government for Ireland. But he did not dwell upon that argument, and I think he was well-advised in passing swiftly away from it. If I might be allowed, I should be disposed to remind the House of the attitude taken up by his colleagues when the Local Government Bill for England was introduced into this House. Why, then we heard the amazing statement from the hon. Member for Longford that any man acquainted with Ireland could easily make the English Local Government Bill applicable to that country in the course of two or three hours. We had an equally interesting speech at that time from the hon. Member for East Mayo (Mr. Dillon), who demanded that the Bill should then and there be made applicable to Ireland, in order to remove county administration from the hands of the Grand Jury. Now, what a light that casts

upon the attitude taken by the Nationalist Members in this House! In 1888 they thought that a Bill giving over the administration of county affairs to popularly-elected bodies was one which should be accepted without any consideration for the judicial function of the Grand Jury in Ireland, and that its production to this House should not be delayed for a single moment. The reason adduced by the hon. Gentleman against the reading of this Bill a second time—if it can be called a reason—was the resentment which he felt in his breast against one single clause out of the 72 clauses in this Bill. He came to the clause which grants a petition by appeal. He declined to argue upon that clause, although we were entitled to infer, from the course of the Debate upon the First Reading, from the line of argument, and the gestures of anger which greeted the speech of my right hon. Friend, that if anywhere a reason for refusing to read the Bill a second time was to be found, it was to be found in the clause granting to those who consider themselves aggrieved in Ireland the right to appeal by a petition. Then we have his arguments for proving that this Bill is worthless. In the attempt to prove that it is of little worth the hon. Gentleman employed the rhetorical device of stating that this Bill is the Tory alternative to the policy of Home Rule. I do not think that any Member of the Government or any person of any weight or authority in the Conservative Party has ever upon any platform given the slightest colour of support to any such contention. It is not our alternative scheme to the policy of Home Rule; it is part of the alternative scheme and policy of governing Ireland from Westminster upon the lines which direct the Government of the Imperial Parliament of Westminster in England and Scotland, of extending to Ireland whatever laws are passed for the benefit of England and Scotland, and never allowing to lapse our responsibility for the safety of every class of the community, whether in England, in Ireland, or in Scotland. It is of no avail for hon. Gentlemen opposite to say that some of the safeguards proposed are odious and un-

necessary. That is no argument against the proposition we lay down and maintain that the Imperial Parliament at Westminster is responsible and accountable for any wrong that might accrue from our delegating our responsible power to other and subsidiary bodies. That is a fundamental article in the Unionist creed; and it would be as sensible to argue with a family lawyer that in all probability the son about to marry would not neglect to make provision for his children, and to argue that, therefore, such a provision ought not to be incorporated in the marriage settlements. Any one who has listened either to the speeches this afternoon or to the Debate on the Motion for leave to introduce the Bill, would have supposed from the minute criticisms and from the tone of resentment against all precautions and safeguards that Ireland had for years—nay, for generations—enjoyed a system of local government upon the same broad basis of popular representation which exists in England and Scotland at present, and that the wicked Tory Government was bent on introducing precautions which were never heard of hitherto. It is all very well to seek to minimise the importance of this Bill by saying it is not an alternative for Home Rule; but as a matter of fact, the scope and magnitude of this Bill have never been appreciated or touched upon by the hon. Gentlemen who sit opposite. This is the first Bill introduced by any Government in this country granting to Ireland Local Government upon the Parliamentary Franchise. During the Debate on the First Reading I was astonished to hear an interruption from the Benches opposite that this Bill was less liberal in its character than the Bill introduced by the right hon. Gentleman the Member for the Thanet Division in 1879, when he held the office of Chief Secretary to the Lord Lieutenant of Ireland, and that sentiment is cheered by the right hon. Gentleman the Member for Newcastle, although the Bill introduced in the year 1879 provided only that County Councils and Baronial Councils should be set up in Ireland. And upon what franchise? One-half of all the

*Mr. Wyndham*

Baronial Councillors were to be elected and one-half of them were to be nominated. And how were the elected members to be elected—upon the Parliamentary Franchise? It did not at that time exist even on this side of the Channel. It was proposed that they were to be elected by the Poor Law Guardians—that is to say, by persons who were themselves elected upon a franchise which has been constantly denounced in this House, and which, in the eyes of hon. Gentlemen opposite, is vitiated by the principle of plural voting. Yesterday there was a Debate in this House on a Bill for introducing the principle of "One Man One Vote." That principle, as well as every other principle of representation which has been extended to England during the last ten years, is embodied in the Bill now before the House. Not one of these principles was embodied in the Bill introduced by the right hon. Gentleman, the Member for Thanet. But I shall take the Bill introduced into this House only four years ago by hon. Gentlemen themselves sitting below the Gangway, and I would point out that the measure which has now been submitted to the consideration of the House is more liberal in its character than the Bill which bore upon its back the names of Mr. Carew, Mr. Sexton, Mr. Harrington, Mr. Arthur O'Connor, and Mr. Maurice Healy. Any one who looks at that Bill and at the tenth clause of it will find that whereas the County Councillors were to be elected upon the Parliamentary Franchise, in every County Council in Ireland there were to be five other members of another class and another category altogether. What was the property qualification that these members should possess? Every one of them was to be one of those Irish Justices of the Peace whose misdeeds hon. Gentlemen opposite never tire of denouncing. They were to be elected by Irish Justices of the Peace, and by Irish Justices of the Peace alone. Now for those who believe in manhood suffrage, and in every sort of electoral reform, and who hold that plurality of voting and the property qualification are accursed things, it seems to me a difficult attitude to defend that in the year

1888, when the English Local Government Bill was before the House with no such provisions, they should have entertained those proposals, and that in the year 1892 they should reject a Bill upon its Second Reading which grants a franchise as liberal as that which now obtains in Great Britain. Why was that provision introduced into the Bill of 1888? It is a question very difficult to answer. I think it admits of only one answer. I think it is plain that the provision implies in the minds of the hon. Gentlemen below the Gangway an implicit recognition, at all events that Irish society is not in the same state as English society at the present moment. Why did they introduce that provision unless they thought it wise and prudent in Ireland to give some voice to minorities; unless they thought that in Ireland some check on extravagance should be devised; unless they thought that in Ireland, during times of popular excitement, public bodies might be expected to indulge in acts which afterwards they might be the first persons to regret? If these dangers exist in Ireland—if these apprehensions lurk secretly even in the minds of Irish Nationalist Members—surely we must all know that they exist in an intensified degree in the minds of those gentlemen who speak for the loyal minority in Ireland. Those apprehensions have to be met; those dangers have to be guarded against; and I ask the House candidly to consider which of the two possible kinds of safeguards are really the best and the most liberal in their nature. You may have a safeguard of the kind introduced into the Nationalist Bill of 1888; you may pack your Council; you may have a system of nomination of Aldermen, or of special members elected upon a special franchise, and that will give you a certain degree of safety. But that provision will at all times mar and vitiate the popular character of your Bill, whereas the kind of safeguards introduced into the Bill of the Government need never act at all. During ordinary times they are in abeyance. They are placed there to meet special contingencies which will rarely—some of them perhaps never—arise; and

unless these contingencies arise, the Bill introduced by the Government is as liberal and popular in its character as the Bill which now is law in England and in Scotland. In saying that the provisions for safety introduced into our Bill would only come into operation to meet special contingencies and rare emergencies, I may of course contemplate the two clauses around which the most acrimonious discussion has centred. I will not do hon. Gentlemen opposite the injustice to suppose for one moment that they would vote against the Second Reading of this Bill because we withdraw special privileges from illiterate voters or because the system of minority representation has been introduced by the Government into their measure. These are clearly minor matters, which I am sure the hon. Member for West Belfast would be willing to relegate to the Committee stage, and we are left face to face with the Joint Committee and with the clause which hon. Gentlemen like to call the put-them-in-the-dock clause, but which—as hon. Members will agree that there is nothing in a name—they will allow me to call the clause giving the right to petition by appeals. Take the Joint Committee. The Attorney General for Ireland has destroyed a great deal of the criticism brought to bear against this clause by the hon. Member for West Belfast. That hon. Member made a very bold attack upon this clause—ironical, sarcastic, and amusing; but the whole of his attack depended for any force which was in it to the assumption that the Sheriff who will preside over this Joint Committee would be a landlord. He spoke of the Sheriff as the eighth landlord, and then he ingeniously, by putting several parts of the Bill together, brought forward a long catalogue of duties over which this body would have a certain amount of control. But when the Attorney General for Ireland says that the Government have an open mind as to the personality of the Chairman of this Board—and it should have been remembered that this was said by the First Lord of the Treasury in his opening speech—the whole of that criticism falls to pieces and remains of no avail whatever.

It is not possible, upon the ground that the Chairman of that Committee shall be a neutral authority, to pretend that the clause instituting a Joint Committee in Ireland differs materially from the clause instituting a Joint Committee in Scotland. Arguments have been adduced on one side and on the other. It is said that in Scotland the rates are paid by the owner, and that in Ireland they are not. That is against the clause. But for the clause it is said that since the year 1870 the rates are divided in Ireland.

An hon. MEMBER: No, optional.

MR. WYNDHAM: Well, optional. It may also be said that in Ireland every fifteen years rents are revised, and that therefore the burden of the rates is thrown in Ireland every fifteen years on the owner. It may be said further, that since according to the right hon. Gentleman the Member for Derby (Sir W. Harcourt) all grants in aid of rates go into the pockets of landlords, all increase of rates must come out of them. I would also like to put another point, which I hope may commend itself to the hon. Gentleman the Member for West Belfast. That hon. Gentleman is generally very careful in his logic, but this evening he wound up his attack upon the clause by saying that at any rate the Scotch Members had refused it in their Bill, and that it had been imposed upon Scotland by a Tory Government. Yes, but that strengthens our argument for reading this Bill a second time. If Scotland objected to that Bill, if it was imposed upon Scotland by a Tory Government, and Scotland none the less accepted her Local Government Bill, then if anything follows from Irishmen objecting to this clause, and from their being overruled by a Tory Government, and also if they base their objection to the Second Reading of this Bill upon so slight a ground, it is that this Bill should be read a second time. I have given the arguments for this Joint Committee, not in the hope of convincing hon. Gentlemen opposite, but in order to show that a

*Mr. Wyndham*

great deal may be urged on both sides, and that therefore this clause constitutes a legitimate ground for discussion in Committee. It does not constitute any ground which would justify them in refusing to read this Bill a second time. There is another clause which has given rise to a great deal of adverse criticism. Here I have no argument to meet, but only the repudiation of the hon. Member for West Belfast. I refer to the clause which he rejected with scorn, and which, in his opinion, as I have proved by a process of exhaustion, constitutes the sole ground for the action which he now proposes to take. It is incredible that Parliament should forgo on such a ground this opportunity of fixing its imprimatur upon the unanimous belief that Ireland is now not only entitled, but ready to receive, Local Government upon the same popular basis as obtains in Great Britain. Surely we should all welcome such an opportunity of testifying such a fact. It will inflict no practical disadvantage upon either Party. Hon. Gentlemen opposite will be at liberty to argue from it that Home Rule is all the more likely to succeed in the future; hon. Gentlemen on this side will be able to argue from it that Unionism has proved a success in the past. Let me now for one moment consider the scorn, the ridicule, and the repudiation which have been directed against this clause, to grant to these persons who in Ireland think themselves oppressed the right to an appeal, which will be tried, on a *prima facie* case being made out, by two Judges on the rota of appeal. Hon. Gentlemen opposite are sometimes very frank about the condition of Ireland. One of the most distinguished among them wrote an article a few days ago in the *Fortnightly Review*, in which he foresaw that some proceedings of elected bodies in the past might be adduced in defence of the clause, and he discounted them by saying that they were mere incidents in a social and political war, incidents in a revolution which was then on foot. It is the business of the Imperial Parliament at Westminster, if social war arises in any part of the Queen's dominions, to see that the fighting shall



not be all on one side, and that those who suffer from such incidents shall have an adequate means of redress. Whether many persons are likely so to suffer can be judged by an incident which has occurred recently in Ireland. A very distinguished Member of the Irish Nationalist Party, though not a Member of this House, has during the last few weeks had occasion to seek redress at the hands of the law for what he deemed, and probably rightly, a gross libel upon his reputation for commercial honesty. In this no Party or political question was involved. He went before a jury to ask them to vindicate him and to clear him of a charge of commercial dishonesty. He was unwilling to accept a jury in the Town or County of Dublin, or in the Town of Belfast. ("No, no!") Then the other side was unwilling to accept a jury in the County of Louth.

MR. J. MORLEY: He accepted the County of Dublin.

MR. WYNDHAM: He was unwilling to accept a jury of the County of Dublin.

MR. J. MORLEY: No, I beg pardon. He did accept it.

MR. WYNDHAM: He was obliged to accept it. I have the facts very clearly in my memory. An appeal was lodged against the decision of the Court that the venue should be changed from the Town to the County of Dublin. That appeal was lost, and he was obliged to accept the county. These facts show the distrust in the minds of both sections of the Nationalist Party of juries of their fellow countrymen on a question involving private honour and the commercial honesty of a gentleman, and no question of politics. What should we say if in England it was possible when someone say, in the position of Mr. Schnadhorst or Mr. Middleton, were assailed in his private character and said he feared he would not receive justice from a jury, not because they belonged to the opposite Political Party, but because he had reason to believe that a majority on that jury

differed from him as to the priority of Home rule in the Newcastle programme? This case shows very strongly the distrust in the minds of both sections of the Irish Party of juries of their fellow-countrymen, even on questions altogether divorced from politics.

MR. SEXTON: Special juries.

MR. WYNDHAM: Very well, special juries. What then, I ask, must be the legitimate apprehension of an Irishman who is not a Nationalist at all, but who belongs to the far smaller minority, who in the past have received only too little consideration from either half of the majority who outnumber them by thousands? Such a man must view with apprehension any Bill for granting Local Government to Ireland; and having regard to the legitimate fears of such men, no Government would be wise to introduce a measure deficient of any safeguards for their protection. I am not prepared to deny that there is, to some extent, a humorous side to the matter. It came out in the speech of the hon. Member for West Belfast. But, outside an opera by Messrs. Gilbert and Sullivan, I have never heard of an indignant repudiation of a safeguard by a gentleman whom it was never intended to protect by it. Such a protest should come from those who consider themselves aggrieved rather than from the aggressors. The mingled mirth and indignation, partly hysterical and partly histrionic, with which the clause has been received has induced many persons, myself among the number, who were at first disposed to question the necessity for the clause, to believe now that possibly there may be another side to the question altogether. I am still of the opinion that the clause is likely to be only rarely used, if at all; but it does not follow, therefore, that it will be useless. It will act as a deterrent, and it may be of some use to the hon. Member for West Belfast. The hon. Member and his colleagues are constantly arrogating to themselves the right to speak in the name of all

Ireland. Well, in this clause they will have something to which they can point in order to allay the fears of the million and a half of their countrymen who still tremble at the thought of being brought under their rule. If there is justification for the Bill, hon. Members opposite ought to be the first to welcome it; and if there is no justification they ought to despise it. But can they afford to despise a Bill which will grant Local Government to Ireland upon the same Parliamentary franchise as exists in England? What other argument has been urged against the Bill? It has been said that it leaves the Grand Jury system untouched, as well as the Grand Jury's power to grant compensation in case of malicious injury. Hon. Members opposite are fond of quoting cases of alleged injustice arising from this power possessed by the Grand Jury; but I will claim every such instance as an additional ground for passing this Bill. Every such miscarriage of justice can only be quoted in support of one of two Motions—in support of a Motion for withdrawing that duty from the Grand Jury, or in support of a Motion for withdrawing County Government from the hands of the Grand Jury in order that it may be carried out by a body more fully enjoying the confidence of the people. The first Motion is not before the House, but the second is, and therefore every case of injustice quoted can only be an additional ground for reading the Bill a second time. Hon. Gentlemen opposite who represent English constituencies are fond of insisting that the voice of Ireland ought to be listened to, and they point to hon. Gentlemen below the Gangway, saying:—"Whether your Bill is good or bad, it is not a Bill which the voice of Ireland is prepared to accept." Now, I should be the last to assert that the voice of Ireland ought not to be listened to with respect in the House of Commons; but when that voice is utterly condemnatory of Unionist measures, it is wise to listen to it with a little sceptical reserve. Not unfrequently during the last few years have Irish Members been heard denouncing a Bill at one time, acclaiming it a year afterwards, and still later

*Mr. Wyndham*

assisting to perfect and amend its provisions. That was the story of the Irish Famine Fund. In 1890 the Irish Party, with the regular Opposition, voted for the rejection of the Bill. Eight months later both Parties voted in favour of reading it a second time. On this occasion the first of those scenes is being reproduced, and the second will also be reproduced in due time. Whatever changes and chances the General Election may have in store, the Irish Members will soon be heard explaining away their ingenious objections to the Bill, and marching into the Lobby with the occupants of the Front Bench. That may suit the purposes of Irish Members, but it is a painful spectacle, nevertheless. It is all very well to admire flexibility and adaptability in public life; but it is not an elevating spectacle to see, as on the occasion of the introduction of the present Bill, ex-Cabinet Ministers straining in the leash, or sitting in blind complacency, till they learn from the gestures and inarticulate cries of their Leaders below the Gangway what course they must take. I had hoped that they would have thrown off the yoke for once, and have anticipated one of the evolutions which hon. Members from Ireland think necessary in the face of Unionist legislation. If it were only in commiseration of the less supple Members of the opposite Party, hon. Members from Ireland might forgo this farce of alternate repudiation and acclamation. I shall count confidently on the support of the hon. Member for Northampton (Mr. Labouchere), who, with a few sturdy Radicals, refused to vote for the Second Reading of the Land Purchase Bill. If they are consistent in their hatred of State purchase, they ought also to be consistent in their belief in the wonder-working power of representative institutions. But should none of those who are opposed to the Government vote for the Bill it will not matter very much, except as regards their reputations for political foresight and candour. The Bill is certain to be read a second time, for the Unionist Party have a majority in the House.

MR. MAC NEILL (Donegal, S.): Till the next Election.

MR. WYNDHAM: I believe they have also a majority in the country.

MR. MAC NEILL: Not so certain.

MR. WYNDHAM: At all events, all Unionists, whether inside or outside the House, will acclaim this opportunity of at once vindicating the success of their policy in Ireland and of discharging a debt of honour.

\*MR. HERBERT GLADSTONE (Leeds, W.): My hon. Friend has spoken with his usual eloquence and ability, and I am surprised that his eloquence and ability on behalf of this Bill, great as it was, did not seem to receive that enthusiastic applause on his own side which might have been expected. I do not doubt that the speech, as an intellectual effort, was fully appreciated; but I think my hon. Friend will agree with me that when he was arguing the details of the Bill, hon. Gentlemen on his side of the House were ominously silent. The hon. Gentleman was rather in doubt as to the motives which induced hon. Gentlemen on this side of the House to oppose the Bill, but I am bound to say that he gave no particular reason why the Bill should be supported. In attempting to make a parallel between this Bill and the Irish Land Purchase Bill of last year, he told us that we were always quoting the Irish voice and offering to abide by it. There is no parallel, however, in the case brought forward by my hon. Friend. In the case of the Land Purchase Bill, a large sum of money was affected, and about which English Members had every bit as much right to speak and vote as Irish Members. And we all voted according to our convictions in regard to that Bill. But we assert that this Bill deals with purely Irish questions, and it is essential that the views of Ireland should be considered in the case of such a measure. I will tell the hon. Member why I intend to oppose this Bill. I intend to oppose the Bill not only because I consider it a bad Bill, but also because I consider it an insufficient Bill; and I further think it

does not fulfil the solemn promise made by gentlemen opposite in regard to Ireland. It was laid down by a distinguished predecessor of the First Lord of the Treasury, the late Chancellor of the Exchequer (Lord R. Churchill), not alone on the occasion when he used the words "similarity and simultaneity," but also on the 14th September, 1887, that the problem of Local Government in Ireland

"called for the most careful consideration of the Government with a view to its development as far as might be in accordance with Irish ideas and Irish desires."

I want to know where in this Bill can you find "Irish ideas and Irish desires"? The hon. Gentleman (Mr. Wyndham) has said that by a process of exhaustion he has brought down the opposition of my hon. Friend the Member for West Belfast (Mr. Sexton) to resentment against a single clause of the Bill. I do not agree with him, and I will show the reason why. It is true that the hon. Member for West Belfast attacked this Bill very considerably in detail, and it is absolutely essential that we should attack this Bill in that manner, because throughout its many clauses you find almost every clause pervaded, and limited by the system of checks introduced by the First Lord of the Treasury. These checks in themselves constitute a most important element in the Bill, and compel us to look to individual clauses. And I would remind the hon. Member for Dover (Mr. Wyndham), when he says these are only details, to carry his mind back to 1886, when the Government of Ireland Bill was before the House—a Bill attacked in every detail, and a Bill which was opposed by the right hon. Gentleman the Member for West Birmingham (Mr. J. Chamberlain) and many gentlemen on this side of the House not because of the principle of the Bill, but on account of the details in the clauses. I pass on to the speech of the Attorney General for Ireland. We have had a formal attack upon this Bill by the hon. Gentleman the Member for West Belfast, and we have had its official defence from the Attorney General. And I maintain that my hon. Friend the Member for West Bel-

fast has proved the proposition he put forward—proved, as he said, that the Government were applying different principles to Ireland to the principles they applied to the question of Local Government in England and in Scotland. I say that in his powerful speech he fully proved that proposition. But let me run through a few of the points which the hon. Gentleman brought forward, and let me notice, too, the speech with regard to these points, of the Attorney General for Ireland. I say that the Attorney General's speech confirms in a great measure the attack made upon the Bill by the hon. Member for West Belfast. First of all, there was the attack on account of the disfranchisement entailed by the exclusion of the twenty-sixth section of the Ballot Act. The right hon. Gentleman admitted that that was so, and attempted to justify it, and apparently did justify it, by the result of the Division taken last week. It was a curious way of anticipating a verdict of the House; but where is the equality? There is the check, there is the difference which you do not find in the English Act; and there is difference No. 1, inequality No. 1. Then we come to the cumulative vote. The right hon. Gentleman did not argue in respect of that. There was very little difference between the Member for Dublin University and the Member for West Belfast, because they both seemed to desire the same end. Thirdly, there is the question of the size of the constituencies. On the one side; you have a determination as far as practicable by Statute; on the other, the size is left to the option of the Lord Lieutenant. Fourthly, there is the question of the Belfast franchise. These two points the right hon. Gentleman dismissed as details. He said "these are details," and the Chief Secretary (Mr. Jackson) cheers that! But when shall we get an opportunity of going into these details? When shall we come to the Committee stage? I should very much like information on that point from my right hon. Friend, because we do not believe we shall get an opportunity of going into these questions. And as we want to make out our case against this Bill before the country, believing we

*Mr. Herbert Gladstone*

shall get no further opportunity, we intend to make good use of our time now, and to examine the Bill in detail. Fifthly, we come to the question of compensation for malicious injuries. The only defence the Attorney General offered to this was, "We just leave the matter where it stands." He admitted that it would be unfortunate to transfer that power to the County Council, but he did not defend the action of the Government in leaving the matter where it was. Sixthly, there is the question of the Standing Joint Committee. The Attorney General did not deny the allegations of the hon. Member for West Belfast in regard to the powers of interference of that Committee. Then, seventhly, as to the question of the Sheriff—which is all-important in this connection—what did the right hon. Gentleman say? He said the Sheriff would be a very bad officer to preside over the Standing Joint Committee, but that the Government did not know a better official to put there, and that he would be very glad of a suggestion on the subject from any part of the House. This is one of the numerous checks in the Bill, and the Attorney General said Irishmen had very short memories, that they easily made friends, and that the checks would be soon forgotten. But I say that these checks in themselves constitute an inequality. The Attorney General may argue as he likes; but, as he himself said, argument is not fact, and the fact remains that these checks do constitute a gross inequality between the measure you are giving to Ireland and those you have given to England and Scotland. Eighthly, the County Councils are to be restricted from entering into legal proceedings. Is not that a difference? And I will ask the Chief Secretary whether that does not constitute an inequality as compared with England and Scotland?

MR. JACKSON: The County Councils cannot enter into legal proceedings without the consent of the Joint Committee.

\*MR. HERBERT GLADSTONE: Is the consent of the Joint Committee necessary in the case of the Local



Government Acts for England and Scotland? Is not that an inequality? Ninthly, I come to the question which the right hon. Member euphoniously calls petition by appeal, and one of the most extraordinary points in connection with that proposal is this—that, supposing County Councils are suppressed by the Judges power is given to the Lord Lieutenant to re-nominate fresh County Councillors. The Attorney General quoted in his speech the case of Election Petitions in England. I will ask the Attorney General whether in the case of Judges who try an Election Petition in England and find corruption, and that it is necessary to disfranchise a borough, power is given to the Judges to nominate fresh Members. The power is left to the constituencies themselves, and hence I say that there is no force in the argument of the Attorney General. Tenthly, there is the question of the police, and what is the argument of the Attorney General? He maintains that Ireland in respect to the police is treated in identically the same way as England and Scotland under the Local Government Act. But there is the greatest difference in the world. One has to distinguish between the police in London, the police in the boroughs, and the police in the county districts. With regard to the police in London, we hold that it is a very unsatisfactory arrangement, and hope it will very soon be altered; but the Home Secretary, who is practically the head of the police in London, is sitting here in his place in London and can answer to us at once with regard to them. There is no analogy between the management of the police in London and the management of the police in Ireland. Then there is the question of the borough police, and these we know are under the control of the Local Authorities. Do you propose to give the control of the police in Ireland to the boroughs? No; and there is a gross inequality at once. Let us come to the counties. In Scotland the county police are under the control of Commissioners of Supply, and in England under that of the Quarter Sessions. Both these

authorities are local, knowing the wants of the localities, being in touch with the people, and, to a great extent, under their influence. Under recent legislation the County Councils have been associated with those Public Bodies in the management of the police. Is there any analogy between that case and the case of Ireland? We see that while in a large part of England the management of the police is entirely in the hands of the Local Authorities, and while in the counties it is only partly in the hands of non-elected authorities, in Ireland you absolutely place the control of the police of the country under the strict control of Dublin Castle. This question of the police is something more than a detail. There is a gross inequality proved to exist, and the arguments of the Attorney General for Ireland in this respect are perfectly futile. Thus having regard to these ten points the Attorney General for Ireland in his speech practically confirmed the attack of the Member for West Belfast, and where he did argue, as on the question of the police, his arguments were not founded upon facts. We have two charges against the Government, first of all with regard to the delay in bringing in this Bill; and, secondly, with regard to its inadequacy and badness. With regard to delay; the First Lord of the Treasury admitted not long ago that Gentlemen on that side of the House were pledged to a scheme of local self-government for Ireland, that this Bill was brought in in fulfilment of their pledges. It was because hon. Members were so pledged that the noble Lord the Member for Paddington (Lord R. Churchill) made his famous speech in 1886, and it was because of that fact that the question of Irish Local Government was mentioned in the Queen's Speech of 1887. But let us follow this out a little, for it seems to me that the Attorney General for Ireland, who did not, I think, enter this House till two or three years after the last General Election, did not quite grasp the situation with regard to the history of this question. Well, the noble Lord the Member for Paddington retired from the Government. We all

know that the noble Lord was a keen supporter of a scheme for the self-government for Ireland. But when he retired from the Government the question of Irish Local Government retired from the Queen's Speech for the next two years. During these years precedence was given to every kind of measure of which no mention had been made at the General Election. Precedence was given to the Wheel and Van Tax, to the Chancellor of the Exchequer's proposal for the Compensation of Publicans, for absurd Bills like the Sugar Bill, and the Bill seeking to constitute an Under Secretary for Ireland, which occupied a great deal of time, and were then abandoned as hopeless by the Government itself. In 1890 the question of Irish Local Government again appears in the Queen's Speech; but again precedence is given to such matters as the Light Railway Bill for Ireland—a good Bill, I admit—but I ask any hon. Member on the other side to tell me what mention was made of it before the General Election of 1886. Then there was the Western Australia Bill. The Government were ready to give a Constitution to Western Australia, but were very quick to deny it to Ireland. There was also the question of the Suck Drainage. All these measures, never heard of before, took precedence of that measure to which every Gentleman on the other side was bound by his pledges at the Election of 1886. Again, in 1891 mention is made of this question, and precedence that year was given to Land Purchase—a subject which was mentioned in 1886, only to be denounced by hon. and right hon. Gentlemen opposite; and though they were pledged to oppose such a Bill, they brought it forward, and gave the go-by to the measure to which they were pledged. Then we come to 1892, the last Session, and at last we have the Bill specifically mentioned, and specifically brought forward. Why in the last Session of this Parliament? If instead of the Septennial Act you had an Act keeping Parliaments alive for fourteen years, we should have had this Bill brought forward in the thirteenth Session, because the sixth or the thirteenth give the best opportunity for shelving the Bill altogether; and the Bill has been deliberately kept by Her Majesty's Government for the last Session, because they knew that in this Session they would have the best chance of not passing it. In the second place, we say that this Bill is inadequate, and that its provisions are bad. It is bad in itself; it is bad relatively to the promises made in 1886 with regard to it, and judged by these it is a fraud on the constituencies. The Tories deliberately led the country to believe, when they were seeking to be returned to Parliament in 1886, that they had in contemplation for Ireland a large measure which was to be the alternative to the scheme of Home Rule; but now the Attorney General for Ireland holds up his hands in horror at this idea, and he suggests that Home Rule and this Bill areas light to darkness. Then it is also said by the hon. Member for Dover (Mr. Wyndham) that this is not an alternative scheme, but only part of an alternative scheme which I understand would be applicable to both England and Scotland. What is this alternative scheme? A small measure of Local Government, and a very large measure of coercion! I should like to see you apply that alternative to either England or Scotland. The Attorney General for Ireland took care to say that this is a very small and unimportant measure. I would ask him whether it has dwindled in its proportions since 1887? If it was unimportant, why was it mentioned in the very first Queen's Speech of this Parliament?

Mr. MADDEN: I did not say that. I said it was comparatively unimportant.

Mr. HERBERT GLADSTONE: Comparatively to what?

Mr. MADDEN: To Home Rule.

Mr. HERBERT GLADSTONE: I am glad the right hon. and learned Gentleman attaches so much importance to Home Rule. But we were told by the Chief Secretary only a short time ago that this measure was a cardinal part of the Conservative policy. If so,

Mr. Herbert Gladstone

I do not see that it can be even a relatively unimportant measure. The Attorney General for Ireland, I am persuaded, would not say anything that he did not believe to be strictly true, but has he a clear idea of the speeches that were made in 1886 to the constituencies? What was the action of the right hon. Gentleman the Member for West Birmingham? Either in 1885 he gave to the country a gross misstatement with regard to what was the system of government in Ireland, or else for six years he has acquiesced in the maintenance in Ireland of a system of government which is tyrannical and unconstitutional. The right hon. Gentleman, even after the Home Rule crisis of 1886, was in favour of a Statutory Parliament in Dublin. He led his friends to believe that a large measure would be brought in. Then there was the noble Lord who was at that time Member for Rossendale. Lord Hartington spoke of—

"A great and bold re-construction of the Government of Ireland from which he would not shrink."

This Bill is a specimen of great and bold re-construction of the Government of Ireland. He was

"Ready to give equally, and, if a case could be made out for it, in a greater, further, and more generous degree to Ireland, what was given to England and to Scotland."

Then there was the Chancellor of the Exchequer, who will, no doubt, remember his speeches in Edinburgh. He set up the alternative the existence of which the Attorney General for Ireland now denies, and he said—

"To the assertion that there is no other choice than to accept the Government plan or to fall back upon simple oppression, the opponents of the Bill give a point-blank denial. I am an advocate of a large measure of decentralisation."

Is this a large measure of decentralisation? Then there was one other speech to which I will refer—that of the Prime Minister—and his speech is to this effect, as reported in June, 1886—

"For a good system of Local Government for England, Scotland, and Ireland he was always an advocate, and he believed that the extension of Local Government to Ireland would be a great advantage."

He went on to admit that the withholding of a good scheme of local self-government constituted a special grievance to Ireland. Well, in all these speeches the Irish question is dwelt upon as a matter of the first importance. There is no mention in the speech of the Chancellor of the Exchequer or of the Prime Minister of such questions as Land Purchase, or Allotments, or Small Holdings, or the numerous measures which have been offered us by the present Government. The Irish question was to have priority. An alternative settlement was to be offered which would not involve coercion but which would involve the granting to Irishmen such powers of local self-government as they might reasonably expect. I say then without hesitation, that if the right hon. Gentlemen opposite in 1886 had said to the electors, "We are opposed to Home Rule; our policy is to bring in a measure of perpetual coercion, and we shall postpone any measure for local self-government to the indefinite future"—then I say the constituencies even then, six years ago, would have preferred the policy of the Liberal Party to their policy thus honestly put forward. But the right hon. Gentlemen misled the electors in 1886. They promised one thing to catch one set of votes, and now they break that promise to catch another set. Since 1886 you have constantly asserted that you were going to deal with Ireland on terms of precise equality with England and Scotland, but we have proved there are grave inequalities on many points. Then in speeches made at bye-elections, while hon. Gentlemen have been saying one thing to electors the Government were determined to do another thing in this House. Now we are told the Bill will be of advantage to Ireland, because it will train the Irish people in habits of local self-government. Well, if this is so, why was not the Bill brought forward six years ago, so that Irishmen might have been trained in self-government under the wisdom and experience of the First Lord of the Treasury? The Government have never been in earnest in this matter. This is proved by constant leading

articles in the journals supporting the Government. The *Times* and *Standard* refused to believe that any Bill would be brought forward that would not be mischievous; they hoped for the best, but they urged the Government to drop the measure and to bring forward measures for England. What habits of local self-government will this Bill form for Irishmen? You do not put any responsibility upon them in the Bill; the Bill carries with it no sense of responsibility. Who has asked for the Bill—what section of Irishmen has asked for it? We believe that no section in Ireland requires it. Hon. Gentlemen on this side of the House are opposed to it. Hon. Gentlemen from the North of Ireland sitting on the other side of the House speak in a half-hearted way about the Bill. Who discussed the Bill in preparation? Who settled it? It was drawn, drafted, and prepared in Dublin Castle according to the lights of Dublin Castle, that birthplace of so many ill-fated measures for the government of Ireland. There is no mandate for this Bill. We heard a great deal in 1886 about there being no mandate for the legislation then proposed, and that was one of the arguments used against the Bill at that time. If that argument had weight in 1886, why has it not now? There is no mandate for the provisions in this Bill; they are wholly different to what we were led to expect or what was promised. Under what conditions will this Bill work? See what the Prime Minister says of the condition of Ireland, and have this in mind in relation to this settlement under the Bill. He says—

“The British colony which went to the North of Ireland 200 years ago is still unchanged, and what the Ulster people dread is being put under the despotism of their hereditary enemies.”

That is the spirit the Prime Minister believes exists in Ireland, and he goes on to say—

“There exists the bitterest feeling of hostility between the two communities.”

This is the language of the Prime Minister, and imagine a Joint Committee at work if such is really the position in Ireland! Seven elected

*Mr. Herbert Gladstone*

representatives from the County Council and seven non-elected representatives of the dominant minority, the two hostile communities. I pity the Sheriff who has to preside, if the descriptions of the Prime Minister and the First Lord are correct as to the state of Ireland. These gentlemen will not meet as colleagues, as representatives of people seeking the common good. The one section will represent the people, coming from the people with all the force and authority of representatives, and the other section will simply be the check to impede, retard, and pull back the representatives of the people. Seven representatives on either side of what the Prime Minister calls hostile communities, animated by feelings of the bitterest hostility. And this is the solution of the great Irish problem according to the proposal before us. This Bill will produce a system which will not be a bond of union, but a certain cause of difference. Your scheme is preposterous from beginning to end. It will produce no good in Ireland, and what good effect will it have here in Westminster? Irish business for many years has occupied at least two-fifths of the available debating time of the House with matters relating to the land question, to law and order, and so on. Does the Bill remove any of the grievances which have led to endless discussions in this House? It does not remove a single one of these questions, and it sets up other points of friction in the action of Local Bodies, and provides for Irish Members and their friends an almost endless series of points for discussion and an almost unlimited occupation of Parliamentary time. One of the great arguments for Local Government is the relief of the Imperial Parliament. This Bill will add to the burden on the House. It is idle, it is useless, to pass a measure like this against the opposition of the Irish Members. I say the whole of this Debate is unreal from beginning to end. The Government do not want this Bill, their supporters do not want it, and, we believe, the Government do not mean to pass it. If they had such an intention, why did they sum-



mon Parliament a week later than usual; why did they give us an abnormally long Easter vacation?

MR. A. J. BALFOUR: Not abnormally long.

MR. HERBERT GLADSTONE: But still, a long Easter vacation—longer than the Government would have given had they been in earnest about this Bill. Why, too, did they give precedence to measures never heard of before this Session? What mandate was there for the Small Holdings Bill? The Home Secretary laughs—perhaps he can enlighten us? We know that he and his friends denounced such a measure when they sought the votes of their constituents. We remember, as I am sure the right hon. Gentleman does, the speeches of the President of the Board of Agriculture, and we remember the feeling displayed on that side of the House in regard to the question. Why then has precedence been given to a measure the Government denounced a few years ago? I shall vote against this Bill, because it is a bad Bill; because it is opposed to Irish ideas; because it is a sham, a pretended fulfilment of promises; because it is the outcome of a whole course of unprecedented political deception.

Motion made, and Question proposed,  
“That the Debate be now adjourned.”  
—(*Mr. Macartney.*)

(11.57.) SIR W. LAWSON (Cumberland, Cockermouth): I object to the adjournment. The hon. Member who has just sat down says there is no reality about the Debate, and I perfectly agree with him. It is a scandalous waste of time, and the sooner it is over the better.

Motion agreed to.

Debate adjourned till To-morrow, at Two of the clock.

#### PUBLIC PETITIONS COMMITTEE.

Tenth Report brought up, and read; to lie upon the Table, and to be printed.

#### BIRMINGHAM CORPORATION WATER BILL.

Reported from the Select Committee.

Report to lie upon the Table, and to be printed.

VOL. IV. [FOURTH SERIES.]

Minutes of Proceedings to be printed.  
[No. 197.]

#### LOCAL GOVERNMENT PROVISIONAL ORDERS BILL.—(No. 266.)

Reported, without Amendment [Provisional Orders confirmed]; to be read the third time To-morrow.

#### LOCAL GOVERNMENT PROVISIONAL ORDERS (No. 2) BILL.—(No. 267.)

Reported, with Amendments [Provisional Orders confirmed]; as amended, to be considered To-morrow.

#### LOCAL GOVERNMENT PROVISIONAL ORDERS (No. 3) BILL.—(No. 268.)

Reported, without Amendment [Provisional Orders confirmed]; to be read the third time To-morrow.

#### LOCAL GOVERNMENT PROVISIONAL ORDERS (No. 4) BILL.—(No. 305.)

Reported, without Amendment [Provisional Orders confirmed]; to be read the third time To-morrow.

#### LOCAL GOVERNMENT PROVISIONAL ORDERS (No. 5) BILL.—(No. 306.)

Reported, without Amendment [Provisional Orders confirmed]; to be read the third time To-morrow.

#### ALLOTMENTS PROVISIONAL ORDER BILL.—(No. 308.)

Reported, without Amendment [Provisional Order confirmed]; to be read the third time To-morrow.

#### METROPOLITAN POLICE PROVISIONAL ORDER BILL.—(No. 274.)

Reported, without Amendment [Provisional Order confirmed]; to be read the third time To-morrow.

#### LAND DRAINAGE PROVISIONAL ORDER (MORTEN FEN) BILL.—(No. 314.)

Reported, without Amendment [Provisional Order confirmed]; to be read the third time To-morrow.

#### PIER AND HARBOUR PROVISIONAL ORDERS (No. 2) BILL.—(No. 304.)

Reported, with Amendments [Provisional Orders confirmed]; to be read a third time To-morrow.

**GAS PROVISIONAL ORDERS BILL.**

(No. 295.)

Reported, with Amendments [Provisional Orders confirmed]; as amended, to be considered To-morrow.

**CUSTOMS AND INLAND REVENUE BILL.**

Read a second time, and committed for To-morrow, at Two of the clock.

**PUBLIC HEALTH ACTS AMENDMENT BILL.—(No. 224.)**

Considered in Committee.

(In the Committee.)

Clause 1.

Committee report Progress; to sit again To-morrow, at Two of the clock.

**MERCHANT SHIPPING ACTS AMENDMENT [REMUNERATION].**

Considered in Committee.

(In the Committee.)

Resolved, That it is expedient to authorise the payment, out of moneys to be provided by Parliament, of the remuneration to any officers that may be appointed for the purposes of inspection, under any Act of the present Session to amend the Merchant Shipping Acts —(*Sir M. Hicks Beach.*)

Resolution to be reported To-morrow, at Two of the clock.

**MARRIAGES ABROAD BILL [*Lords*].**

Read the first time. [Bill 362].

**ARCHDEACONRY OF CORNWALL BILL [*Lords*].**

Read the first time. [Bill 362].

**PRIVATE BILLS [*Lords*].**

(Standing Orders not previously inquired into complied with).

Mr. SPEAKER laid upon the Table Report from one of the Examiners of Petitions for Private Bills, That, in the case of the following Bill, originating in the Lords, and referred on the First Reading thereof, the Standing Orders not previously inquired into, and which are applicable thereto, have been complied with—namely, Rhynney Valley Gas and Water Bill [*Lords*].

Ordered, That the Bill be read a second time.

**PROVISIONAL ORDER BILLS**

(Standing Order applicable thereto complied with).

Mr. SPEAKER laid upon the Table Report from one of the Examiners of Petitions for Private Bills, That, in the case of the following Bill, referred on the First Reading thereof, the Standing Order which is applicable thereto has been complied with—namely, Local Government (Ireland) Provisional Order (No. 3) Bill.

Ordered, That the Bill be read a second time To-morrow.

**COLOUR TESTS.**

Copy presented,—of the Report of the Colour Vision Committee appointed by the Council of the Royal Society at the request of the President of the Board of Trade [by Command]; to lie upon the Table.

**QUEENSLAND.**

Copy presented,—of Correspondence relating to Polynesian Labour in the Colony of Queensland (with Appendices) [by Command]; to lie upon the Table.

**MOTIONS.**

**PARLIAMENTARY DEPOSITS AND BONDS.**

Resolution [17th May] reported, and agreed to.

Bill ordered to be brought in by Mr. Courtney, Sir J. Gorst, and The Chancellor of the Exchequer.

Bill presented, and read first time. [Bill 360.]

**LOCAL GOVERNMENT PROVISIONAL ORDER (No. 14) BILL.**

On Motion of Mr. Long, Bill to confirm a Provisional Order of the Local Government Board relating to the Borough of Chesterfield, ordered to be brought in by Mr. Long and Mr. Ritchie.

Bill presented, and read first time. [Bill 358.]

House adjourned at ten minutes after Twelve o'clock.

## HOUSE OF LORDS,

*Friday, 20th May, 1892.*

## SAT FIRST.

The Earl of Berkeley, after the death of his father

WATER COMPANIES (REGULATION OF  
POWERS) BILL [H.L.]  
COMMITTEE.

House in Committee according to Order.

THE EARL OF WEMYSS: My Lords, there are some Amendments which stand in my name on the Paper, and I wish in a few words to explain why they are there. I have no interest personally in Water Companies—my interests are as a consumer; but the Water Companies came to me and said that there were several provisions in the Bill which they thought would materially affect their interests, and which are unnecessary in the interests of consumers, and they have asked me, therefore, to propose certain Amendments.

## Clause 3.

THE EARL OF WEMYSS: My Lords, the first Amendment that I have to propose is on page 1, line 12, after "Company" insert "and Local Authority"; to leave out the words, "which is a trading Company"; and in line 13 to leave out "for profit." My Lords, I do not propose to press that Amendment on this occasion; I shall reserve it for a later stage of the Bill. It is an important point in principle, for this Bill, as it at present stands, applies to Water Companies, and does not apply to Municipal Authorities or Local Authorities who deal in water. It appears to me a very important principle; but I merely wish to call your Lordships' attention to it, as I shall feel it my duty, at a later stage of the Bill, to move this Amendment.

THE EARL OF CAMPERDOWN: Why should not the noble Lord move his Amendment at this stage of the Bill? He has given notice of it.

THE EARL OF WEMYSS: Because he prefers to do it at a later stage.

VOL. IV. [FOURTH SERIES.]

Question put, "That this Clause stand part of the Bill."

LORD HERSCHELL: The noble Earl has certainly raised a very important question, namely, why these provisions, which are intended for the protection of consumers, should apply only to Companies, and should not apply to Corporations who have taken over the power of supplying water. I should like to hear the views of the noble Lord (Earl of Camperdown) as to the reason for his having so limited the clause.

\*THE EARL OF CAMPERDOWN: It is difficult for me to make a speech, because after the noble Earl has given notice of the Amendment and I have come down to answer it he does not move it.

LORD HERSCHELL: But I have asked the noble Earl for an explanation, on the question that the clause stand part of the Bill.

\*THE EARL OF CAMPERDOWN: My Lords, as the noble Earl does not move his Amendment at the stage for which he has given notice, I must give him notice that if he moves it in the Grand Committee, I shall object to it at that stage; because the House placed the Grand Committee stage of the Bill after the Committee of the whole House in order that Amendments of substance should be moved in this House; and therefore, if an Amendment of substance is deliberately postponed in this House after notice has been given that it was going to be moved, I certainly shall object to its being moved in an irregular manner outside the House. With regard to the answer to my noble Friend who was lately Lord Chancellor, and who wishes to know whether I should object to the provision, yes, my Lords, I should object, and for these reasons: In the first place, Corporations never have been comprehended within the limits of the Bill, and if they were to be comprehended it would be necessary that notice should be given to them, and that they should be heard like all the other parties have been heard who are comprehended. In the second place, Corporations differ from Water Companies, because they are public bodies who are elected, and whose

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An Asterisk (\*) at the commencement of a Speech indicates revision by the Member.

consumers are the ratepayers by whom they are elected; so that, in the event of their doing anything improper in the way of cutting off water without due reason, they would be responsible to their constituents, and there would be a public means of obtaining a remedy against them which private consumers have not against private Water Companies. In the next place, Corporations have no personal object to serve; they do not derive any profit from the supply of water; and they have not the same inducements therefore to cut off improperly, or to make improper charges, that private companies have; and further, no complaints have been made against them—they were not made to us in the Select Committee; and if hereafter any Corporation shall behave improperly in these respects then, on complaint being made, it will be competent to pass a Bill to place them under the same restrictions as I now propose to place private Water Companies under.

THE EARL OF KIMBERLEY: I do not wish to anticipate discussion hereafter on some Motion by the noble Earl; but, with regard to what your Lordships have heard from the noble Earl who has just spoken, I would say that some of those interested in the Bill have brought to my notice what occurred in the Borough of Cardiff. It appears there that the Corporation were in the habit of cutting off the supply in a manner objected to by those who bring forward the Bill; subsequently they determined that they would not cut off the supply, and they went upon the lines that this Bill provides, that Water Companies should be compelled to proceed upon a notice. They did not, however, find that satisfactory, and they have again determined to cut off the supply hereafter. Now it would be an awkward thing that that abuse, if it be an abuse, should be put an end to in the minority of large towns that are supplied by Water Companies, and left in those other large towns which are supplied by Corporations.

THE EARL OF CAMPERDOWN: Can the noble Earl tell me for what purpose the supply was cut off, because that determines the whole point?

*The Earl of Camperdown*

THE EARL OF KIMBERLEY: The object was to secure the payment of the water rate.

On Question put:

Clause 3 agreed to.

Clause 4.

THE EARL OF CAMPERDOWN: My Lords, I move as an Amendment on page 2, line 5 after "note" to insert "except when furnished in respect of water supplied solely under agreement or by meter." As the clause stands, it might be argued that persons supplied by agreement have the right to object under Clause 6. The purpose of this Bill is only to affect cases of supply under agreement to this amount: that persons supplied by agreement must receive a demand note. Further than that this Bill does not interfere between the Water Company and the consumer in that case; and to make it quite clear that persons are not to have that right of objection I propose to insert those words.

Moved, in Clause 4, page 2, line 5, after "note" insert "except when furnished in respect of water supplied solely under agreement or by meter."—(*The Earl of Camperdown.*)

On Question, agreed to.

THE EARL OF WEMYSS: My Lords, I fully admit that it is right and reasonable that the details of this demand note should be given, but, after the note has been given, as the Bill stands, a person liable for water rate to whom the note is sent has twenty-one days to consider the items of that note; and then, supposing he is dissatisfied, fourteen days must elapse before the water can be cut off, which makes a total of thirty-five days. The Water Companies say that there are many persons who hold on to the very last in their houses, and often bolt when they are obliged to pay. At present the custom is to send a demand for the water rate every half year; but this clause will entail their doing that, to the inconvenience of many, every quarter, and the Companies think the time given for consideration should be reduced. My Motion is to reduce it to seven days. I believe my noble Friend is willing to accept fourteen as a compromise between seven and twenty-one.



I have also an Amendment afterwards, that instead of fourteen there should be only seven days allowed during which the Company cannot cut off.

\*THE EARL OF CAMPERDOWN: My Lords, in considering any matter connected with this Bill your Lordships must always remember the present state of the law. The law does not require that the article shall be furnished beforehand. On the contrary, the law says that the debt shall arise before the article is furnished. Therefore even supposing thirty-five days were to elapse before the supply could be cut off, that lapse of time would only mean that an article might be cut off which should have been paid for for three months, but which had been supplied up to thirty-five days only. That is the utmost to which the complaint of my noble Friend could extend. With regard to the substance of his Amendment, namely, as to the duration of time of appeal, I have been considering whether I could shorten the period which was fixed by the Select Committee. Every line and word of the Bill was very carefully considered, and we arrived at these various times of twenty-one days and fourteen days; but still I do not see why a man who wishes to raise an objection might not be able to do it in fourteen days. I think seven days would be far too short a period—he might be away from home, or he probably would wish to consult his solicitor. On the whole I am content to go below the recommendation of the Select Committee, and accept fourteen days instead of twenty-one, provided that my noble Friend will also agree to leave the duration of fourteen days for the cutting off notice.

THE EARL OF WEMYSS: Say ten days, for cutting off.

THE EARL OF CAMPERDOWN: No.

Moved in page 2, line 8, leave out "twenty-one" and insert "fourteen."  
—(The Earl of Wemyss.)

On Question, agreed to.

THE EARL OF KIMBERLEY: As regards Sub-section 2, where the amount is defined as £20, I wish to ask the noble Earl whether a rather serious inconvenience will not arise in this

case. It is often the fact that there may be a house where the water rate chargeable upon it is more than £20, but there are stables which are practically attached to the house, but are charged as separate premises. Will there not in that case be two demand notes, one half-yearly and one quarterly, for what is part of the same payment? At the present time in such cases the demand note is sent in including both sets of premises.

THE EARL OF CAMPERDOWN: I am afraid in that case the inconvenience exists in the present arrangement.

LORD HERSCHELL: No, I think not.

THE EARL OF CAMPERDOWN: If the premises are not separate—if, for instance, one is said to be in a certain street, and the other in a certain mews—I am afraid the difficulty must arise owing to the arrangements that the Rating Authorities, whoever they are, have made.

THE EARL OF KIMBERLEY: I can assure my noble Friend that I have personal experience that no such inconvenience does arise, because the Water Company, being under no stress to make a difference, invariably include the whole thing in one demand note, specifying that one part is for one set of premises and the other part for the other.

THE EARL OF CAMPERDOWN: That is a point that I should be perfectly ready to meet from a practical point of view. I rather doubt whether the question would arise. I imagine that the Company would follow its present practice—namely, to send in its claim in regard to your premises, and as those premises would be rated above £20, so there would be no claim in the same way as at present; but I will inquire into the point.

THE LORD CHANCELLOR: I think the practice must differ in regard to different parishes wherein the house is situated. My experience is not the same as the noble Earl's (the Earl of Kimberley). I receive separate rates for my house and for my stables, both in respect of gas, water, and rates.

LORD HERSCHELL: My experience is the same as that of my noble Friend. I never get but one note, specifying one single sum.

THE EARL OF WEMYSS: My Lords, I have to move to leave out lines 22 to 32 inclusive. The clause with those lines in draws a distinction that appears to be needless between houses under £20 and houses above £20. The protection which is given at present in the case of houses below £20 appears to be quite sufficient in the case of houses above £20. The Amendment would simply save needless trouble and expense to the Water Companies in the matter of demand notes. I hope my noble Friend will assent to the Amendment.

Moved, to leave out lines 22 to 32 inclusive.—(*The Earl of Wemyss.*)

\*THE EARL OF CAMPERDOWN: This point was very carefully considered in the Select Committee. It was stated by the Water Companies that if they were required always to send in a statement of particulars to small houses it would throw upon them a very undue amount of labour; therefore after consideration we agreed to make a limit below which they should only be obliged to issue a statement of particulars at certain definite times. But I do not see that that is any reason why large houses should not receive their demand note with the particulars upon it regularly; and I think my noble Friend, instead of saying what reason is there for not accepting the Amendment, ought to show us some positive reason for accepting it.

Amendment negatived.

THE EARL OF WEMYSS: My Lords, I move in line 37 after "the" to insert "amount charged as stated in the," simply to make the clause more intelligible. As it at present reads there would be no alteration made in the last statement,—it would be in the amount. I do not think my noble Friend can object to that. It is a mere verbal alteration, to make the object of my noble Friend more clear.

Moved, in line 37 after "the" to insert "amount charged as stated in the."—(*The Earl of Wemyss.*)

\*THE EARL OF CAMPERDOWN: I think my noble Friend has not fully appreciated what the object is. It is to obtain a statement of the particulars of charge. If you say that an alteration shall be made in the amount, that will not meet the object of the Bill. What I wish should be made clear in the case of these small houses is that when any alteration is made in any particular a statement should be sent in to show to the person that change and what it is.

Amendment negatived.

THE EARL OF WEMYSS: My Lords, the next Amendment I have is on page 3, at the end of the Clause to strike out lines 8, 9 and 10. If this Bill becomes an Act, it will apply mostly to trade, and all these matters are in the agreement, and I do not think it is desirable to interfere with agreements in matters of trade more than is necessary. I am told it is not really necessary, and will be more or less an unnecessary interference with trade.

Moved, on page 3, to leave out lines 8, 9 and 10.—(*The Earl of Wemyss.*)

\*THE EARL OF CAMPERDOWN: My Lords, this Sub-section (3) was deliberately added to the Bill for this purpose: that the water which is supplied under agreement or by meter is to come within this clause for the purposes of Clause 4, and in order that it should be comprehended it is necessary to state that the time at which the demand note in respect of water so supplied is to be delivered is "at any time after the Company is to be entitled to require payment thereof." It is absolutely necessary to put in that statement. I think those who have informed the noble Earl have not been able to understand the Bill.

LORD HERSCHELL: I confess I have some sympathy with the noble Earl as regards this particular clause. I have been studying it for a considerable time, and I do not understand it.

On Question.

Amendment negatived.

Clause 4 agreed to as amended.

Clause 6.

THE EARL OF CAMPERDOWN: In this clause I propose to leave out "twenty-one" and insert "fourteen."

Moved: page 3, line 18, leave out "twenty-one" and insert "fourteen."

—(*The Earl of Camperdown.*)

Amendment agreed to.

THE EARL OF CORK AND ORRERY: My Lords, I withdraw for the present the Amendment that stands in my name.

Clause 6 agreed to with Amendment.

Clause 8.

THE EARL OF CAMPERDOWN: My Lords, understanding that the noble Lord (the Earl of Wemyss) withdraws the Amendment of which he had given notice, on page 4, line 4, to leave out "fourteen" and insert "seven," I propose in line 12 to omit "twenty-one" and insert "fourteen."

Amendment agreed to.

Clause 8 agreed to as amended.

Clause 10.

THE EARL OF WEMYSS: My Lords, I have an Amendment here, on page 5, line 1, after "off" insert—

"After service of notice in writing on the Water Company by the person aggrieved of the cutting off of such water supply."

As the Bill stands, if the water is cut off, for every day there is a penalty of £5 attaching to the Company. There might be collusion and fraud, and notice not given to the Company; and I think it is fair that notice should be given to the Company, and that the penalty should only attach after such notice has been given. That is the only object of the Amendment.

Moved, in page 5, line 1, after "off," insert "after service of notice in writing on the Water Company by the person aggrieved of the cutting off of such water supply."—(*The Earl of Wemyss.*)

THE EARL OF CAMPERDOWN: I am afraid it is my case now not to understand. The noble Earl will observe that the persons who cut off are the Company themselves, so that in the event of their cutting off the supply in contravention of this Act they

are to be liable to a penalty. How can the consumer, or why should the consumer give notice to them in writing of the fact that they have cut off his supply?

THE EARL OF WEMYSS: It might be done by collusion or fraud. It is to guard against such a possibility. I understand that there have been such cases.

THE EARL OF CAMPERDOWN: Fraud by whom?

THE EARL OF WEMYSS: Collusion between a person who would get the penalty, and some other person who cuts it off for him—and not the Water Company. My Lords, I am told there have been such cases.

THE EARL OF CAMPERDOWN: Surely, if some other person had cut off the supply, the Water Company would appear in Court and say they had not done so!

THE EARL OF WEMYSS: The Water Companies wish to have this security, and I do not think it would at all interfere with the working of my noble Friend's Bill.

THE EARL OF CAMPERDOWN: Surely it is an absurdity that, when the Water Company has cut off the water, the consumer should write to the Water Company and inform them that they have cut off his water.

On Question.

Amendment negatived.

Clause 10 agreed to.

Clause 11.

THE EARL OF WEMYSS: Here it is proposed, my Lords, that the time instead of being twenty-four hours should be forty-eight hours, within which notice is to be given to the Sanitary Authority that the water is cut off. Supposing the water is cut off on Saturday, with Sunday and perhaps a public holiday intervening, there might be a difficulty.

Moved, Clause 11, page 5, line 8, leave out "twenty-four" and insert "forty-eight."—(*The Earl of Wemyss.*)

THE EARL OF CAMPERDOWN: If this were a new proposal I should be rather inclined to consent; but the clause is a reproduction of a clause

now in operation in the Metropolis in the Act passed last year.

On Question.

Amendment negatived.

Clause 11 agreed to.

Clause 13.

THE EARL OF WEMYSS: I propose, my Lords, here to strike out from the first line of this clause "except as regards clauses four, seven and nine." If those words remain in, the demand note for particulars will apply to all cases where water is supplied, and I think it is the intention of my noble Friend, according to the wording of the explanation on the back of his Bill, that it should only apply to trade purposes.

Moved: Page 5, lines 21 and 22 leave out "except as regards clauses four, seven and nine."—(*The Earl of Wemyss.*)

THE EARL OF CAMPERDOWN: I will take the three clauses separately. With regard to Clause 4 it certainly is my intention that that clause should apply, in the interests of the consumers. As I stated when we were discussing the clause, it is desirable that the person who is supplied, whether under agreement or by meter, should have a statement of what he has to pay. With regard to Clauses 7 and 9 I cannot understand why my noble Friend proposes to omit them. Those are clauses inserted to protect the Water Companies. I do not know whether my noble Friend is representing their interests; but if so, all I can say is that they are proposing to do the most foolish thing that could be done. They are proposing to make these clauses not apply to them. At all events I do not think my noble Friend would wish to strike out Clauses 7 and 9. They are certainly not in the interests of the consumer, but in the interests of the Water Companies.

THE EARL OF WEMYSS: I will not press it.

Amendment, by leave, withdrawn.

Clause 13 agreed to.

Bill with Amendments re-committed to the Standing Committee.

*The Earl of Camperdown*

## JURY SERVICE OF VOLUNTEERS.

### QUESTION. OBSERVATIONS.

LORD CLIFFORD OF CHUD-LEIGH: My Lords, I beg to ask the Lord Chancellor whether, having regard to the facts submitted to him showing that only twenty-five per cent. of the Volunteer non-commissioned officers, and eight per cent. of the privates are liable for jury service, and that consequently the duties of those remaining subject to jury service would not be materially increased by their exemption, he can see his way to extend to them the concession he has already announced his intention to propose in the case of Volunteer officers; and when the proposed measure dealing with the jury laws will be introduced? The facts of the case are briefly these. On the 14th March, in another place, the Minister for War was asked as to what exemption could be given from jury service to officers and men serving in the Volunteers; and he replied, I believe, that the Lord Chancellor was willing to see whether any alteration could be made in the Jury Laws, so as to exempt the officers, but could not see his way to extending the same privilege to non-commissioned officers and privates of the Force. On a subsequent date, the 4th April I think, a deputation of officers and men of Volunteer battalions waited upon the Lord Chancellor to ask him if he could extend the privilege as desired, and they based their claim partly on the fact that of the non-commissioned officers and privates liable to serve on juries, there were only twenty-five per cent. of non-commissioned officers, and about eight per cent. of privates. I was present at the deputation, and to the best of my recollection the Lord Chancellor replied to us very kindly that he would take the matter into consideration, but that the numbers of those who were exempted from jury service was already very large, and he hesitated to make an increase in the number. Now, my Lords, it seems to me that the number is comparatively small, only 25 per cent. of non-commissioned officers, and 8 per cent. of the privates out of a Force of about 200,000 men; and, even if the number was considerably larger, it still has to be considered that the



number of those who are liable to serve on juries is still extremely large, and that the reduction comparatively is not a very great one. The whole principle, I take it, that underlies the exemption from service upon a jury, is that jury service is a public duty which those who are capable of performing are expected to perform, and that those who are exempted perform some other public function, which is considered to exonerate them from a duty which would otherwise fall upon them. My Lords, there is perhaps no more important public duty than that of defending the country in which we live; and while, all through the history of England, there has been a very strong prejudice against a standing Army, and an insuperable one against anything like Conscription, it has always been recognised that there is a duty, which might on occasion be enforced, of serving in the more Civil Force of the country; and, while the duty of serving upon a jury has always been very strictly enforced, it has, fortunately, not been necessary to enforce with equal strictness the duty of serving in the ranks in defence of the country. But, still, it is an equally important duty, and I think that those who come forward, and voluntarily take upon themselves that duty in a patriotic spirit, are entitled to some consideration in respect of the services which they perform; and I trust that the Lord Chancellor will be able to see his way to exempt them from serving upon juries in consideration of the time, which is infinitely greater than that which they would be liable to spend in performing duties as jurymen, which they devote to performing an important and onerous public duty, and that he will be able to afford to them the boon of being exempted from a public service, from which I say they have earned an exemption, and also on the ground that the boon so extended to them will encourage others to take up a very important duty for the welfare and safety of the country.

THE EARL OF WEMYSS: Before my noble Friend, the Lord Chancellor, answers this question, which I venture to think is one of very great public importance, I should like to say a few words. I think there will be a

general agreement in your Lordships' House that it is desirable, wherever possible, to do what can be done to give permanence and efficiency to the Volunteer Force. It would be too much to say that our Army is in a bad state, but your Lordships must have observed during the winter, and during the Recess, how much public attention was directed towards the state of the Army—directed by letters, directed by speeches ending in an inquiry into recruiting under my noble Friend Lord Wantage. I think the feeling is that the Army is deficient, mainly in the supply of able-bodied recruits, both in number, and in quality. My Lords, that results from one of two causes; either that you have not compulsion to make men enter the Army, or that the inducements you hold out are insufficient; and if any man wants to see what sufficient inducements will do in the way of producing a good article, let him go to the Wellington Barracks and see the police recruits drilled there, and he will see what full, good pay, and pension, with no deductions, will bring about. Let him go to the barracks at the back of St. George's, where the recruits that are brought into the Army in this district are passed by the medical officer, and there he will see what sort of article you get for a shilling a day with deductions. It was only the other day that a noble relative of mine had to defend in the House of Commons the enlistment of a boy of 14. You have recruits, according to the best military opinion, who are really much too young for the work. You cannot, my Lords, get an effective five-year-old fit for work for the price that you would pay for a three-year-old,—and that is equally the case with men. The result is that the Home Army, certainly, is not in the state of efficiency that it ought to be. My own belief is that it is only by applying the principle of compulsion to the Militia, and keeping the Militia full, that you can hope to keep your Army full. And that was the opinion of your Lordships in 1883 when you passed this Resolution which I moved, and in which I was supported by your Lordships by a majority—

“That, having regard to the present defective military organisation, it is essential that the Militia be forthwith recruited to their

established strength, and that the Militia Reserve should, as intended by its originator, the late General Peel, and as recommended by the Militia Committee of 1877, be borne in excess of the Militia establishment."

That Resolution, I believe, goes to the root of the whole matter as regards the manning of the Army; it was opposed by Army officials then in office, and by Army officials who had been in office; but your Lordships thought it a reasonable proposition, and carried it. My Lords, if you have your Army in its present state, if your conditions do not admit of compulsion for home defence—that is the enforcing of the Ballot for the Militia, and if, on the other hand, sufficient pay is not given to induce recruits, you are left in the present unsatisfactory state, that for home defence in the main, you rely upon the Volunteer Force. I am always filled with astonishment that you should find 200,000 men who patriotically give up their time and service to the country without any compulsion, and who submit yearly almost to more and more stringent regulations, and more severe tests, and drill. But if that is so, and if this has gone on for thirty years, I think when an occasional opportunity arises, such as that brought forward by my noble Friend, it is only right and proper that those who have the care of the State should give whatever they legitimately can in the way of favour and privileges to a Force thus served. Unquestionably what the Force is most deficient in is officers, and if, by any possibility, it may be that you can by this little bribe induce men to come into the Force, and become officers, so much the better; you will have done a really good service. If it throws a very infinitesimal amount more duty upon those who do not join the Force, I say serve them right for not serving in the Volunteer Corps. I, therefore, hope that my noble Friend, the Lord Chancellor, will readily assent to bringing in a Bill for this purpose, and not wait to deal with the whole jury system. A Bill of one clause, I think, would be sufficient to exempt, at any rate, Volunteer officers from service on juries.

THE EARL OF PEMBROKE AND MONTGOMERY: My Lords, I should like to add my entreaties to those that

*The Earl of Wemyss*

have already been made, and I hope that the noble and learned Lord on the Woolsack will see his way to granting this request. I look upon this proposal as of great value, not merely for the privilege itself, but because it would be a recognition of the public service which is done by the Volunteers, and for the effect that that recognition would have upon the minds of the public. In a great many cases employers now look upon volunteering as only an amusement, and recreation, in which men join for their own pleasure; and, therefore, they naturally are somewhat unwilling to afford their men time. I think that a measure of this kind, which recognises the public nature of the service performed by the volunteer, would have a very good effect in altering public opinion upon that point.

THE LORD CHANCELLOR (Lord HALSBURY): My Lords, I am afraid my answer will not satisfy any of my noble Friends who have addressed your Lordships. I am afraid I must first of all ask a question before I give a final answer on the subject. I want to know what is exactly meant by exemption from jury service? Does it mean exemption during any period when the particular volunteer is being employed in exercise or drill, or does it mean that the volunteer by that hypothesis is to be struck off the jury list every year so that he will be entirely exempt from jury service altogether?

LORD CLIFFORD OF CHUDLEIGH: The latter.

THE LORD CHANCELLOR: I thought that was what was in the noble Lord's mind. Just let us observe what we are going to do! It is not quite so simple a matter as would appear to the noble Lords. Is it to be the fact that he is to be an efficient volunteer?

LORD CLIFFORD OF CHUDLEIGH: Yes.

THE LORD CHANCELLOR: I hear the noble Lord say "yes." Will he allow me to ask him in what way the Magistrates who settle the jury lists are to settle the question, if the volunteer is not to be a person who nominally belongs to the Volunteers, but is to be an efficient volunteer? If the period of exemption had reference to the period when he was

actually engaged as a volunteer, he would be able to prove that exemption; but if he is to be struck off the list altogether, I can imagine a very large accession to the Volunteer Force at the period when the Jury Lists are made out; I am afraid they would not all be ready to adopt the practice of Volunteers afterwards. That is one great difficulty that I have in the matter. Then my Lords, what are you to do about the Militia; are they to be included in the same exemption?

THE EARL OF WEMYSS: No.

THE LORD CHANCELLOR: I do not see why not. The Militia are called out at certain periods of the year, and I have no doubt they have a fair claim during those periods in which they are performing their public duty.

THE EARL OF WEMYSS: They are a paid Force.

THE LORD CHANCELLOR: Again the noble Lord must remember that in proportion as you diminish the number of persons on the Jury List you are throwing an increased burden on those who remain. That is a very serious question to consider; and I, for one, protest against the sort of notion that the exemptions which are to be found in the Jury List at present have any relation to what one noble Lord called a little bribe, another called an inducement, and a third called a recognition. The reason why persons are exempted from performing their duties as jurymen is that the duties they have to perform elsewhere are supposed to be inconsistent with the duties of a jurymen, and that therefore they cannot perform both duties. If therefore the claim is limited to any reasonable amount, either of exercises, or drill, or calling out of the Volunteers in any way, I shall be able to regard the matter in a different spirit, because then it would be inconsistent with the duty that a jurymen is supposed to discharge. But where the demand is that the name should absolutely be struck off at the time the Jury Lists are being settled, that seems to me to raise so many difficult questions of detail that I could not do it certainly in a Bill of a single clause. I can only say that any reluctance that I have is not at all that I do not share to the full, as much as any noble Lord, in

admiration of the Volunteer Force who have so readily come forward to perform a public duty, and perform it gratuitously; but the difficulty is in dealing with the questions of detail so that such privileges as are asked for might not be abused and made use of, not for the purposes for which they are asked, but for evading a great, serious and solemn duty that a great number of persons in the State are compelled to perform at great sacrifice to themselves. For my part, I would gladly see the Jury List fortified and aided by such men as form the Volunteer Force, and I should be very sorry that such men should not aid in the administration of justice in the country. My Lords, I have been endeavouring to solve this problem, but I assure the noble Lord that, with every desire to exempt the Volunteer Force, I have not yet found any mode by which I could reconcile the conflicting claims, and I cannot promise any immediate solution of the question.

\*LORD CLIFFORD OF CHUDLEIGH: I do not know whether I may be allowed briefly to reply to the question that the Lord Chancellor has put to me on one point. It is desired of course that the exemption should be restricted entirely to an efficient Volunteer. There is no possible difficulty in discovering who is, and who is not, an efficient Volunteer. A man would have to serve one year before he could have any right to claim exemption, and at the end of that time he would have to prove that he had been an efficient Volunteer; his name is returned year by year as an efficient Volunteer, and the capitation grant is given by the Government in consideration of his services as an efficient Volunteer; and it is perfectly easy for a man to prove whether he is or is not an efficient Volunteer.

EARL SPENCER: I should like to say, in consequence of what has fallen from the noble and learned Lord on the Woolsack, that I have considerable sympathy with my noble Friend who has brought forward this Motion; but I quite admit that there is great force in what the noble and learned Lord on the Woolsack said as to the necessity of keeping men off

this sort on the Jury List. Supposing a Volunteer was in camp during the Assizes, at the present moment, if he were summoned, he would be bound, I suppose, to attend or would be fined; but the noble and learned Lord I understand would make that concession at all events, and say that if he were actually doing duty with the Volunteers he should be exempt from serving on a Jury.

**THE LORD CHANCELLOR:** Hear! Hear!

#### **DUBLIN BARRACKS IMPROVEMENT BILL.**

Bill read 2<sup>a</sup> according to order; and committed to a Committee of the whole House on Monday next.

#### **PUBLIC AUTHORITIES PROTECTION BILL [H.L.]**

Bill read 3<sup>a</sup> according to Order; Amendments made; Bill passed; and sent to the Commons.

#### **ROYAL HORSE GUARDS.—TYPHOID FEVER.**

##### **QUESTION. OBSERVATIONS.**

**THE EARL OF ARRAN:** My Lords, in rising to ask Her Majesty's Government the question that stands in my name, I wish to say that my attention was called to the subject by the sickness of a relative of my own; but my personal interest in the matter may be said to have ceased as soon as the transfer of the Royal Horse Guards from the barracks they lately occupied to Knightsbridge. And I should also wish it to be understood that I in no way reflect upon the Administration of the War Office; for I think your Lordships will agree with me in saying that Her Majesty's Government have done everything they could reasonably be expected to do during their term of Office to ameliorate the unfortunate condition of things which existed in most of the barracks in the United Kingdom. At the same time there have been so many rumours as to the amount of sickness which existed amongst the officers of the Royal Horse Guards, and of the insanitary state of the different barracks and quarters, which they have temporarily occupied during the rebuilding of the Albany Barracks, that I trust Her Majesty's Government will not object

*Earl Spencer*

to lay the real state of the case before your Lordships, and to give the House any further information which they may have received on the point, subsequent to the answer which the Secretary of State gave some time ago in another place; and also that they may be able, perhaps, to inform the House what steps have been taken to remedy any insanitary defects which may have been found in the various barracks which have been occupied by the Royal Horse Guards. I should like to include the building of the Horse Guards in my question, although I believe that technically that building is under the Board of Works, and not under the War Office. My Lords, I beg to ask Her Majesty's Government how many cases of typhoid fever have occurred amongst the officers of the Royal Horse Guards (the Blues) since August last; whether any examination has been made by the Military, or other Medical, or Sanitary Authorities during the past year of the barracks and quarters occupied by the Royal Horse Guards up to 5th April, 1892; and whether there is any objection to lay these Reports, if any have been made, on the Table?

**THE UNDER SECRETARY OF STATE FOR WAR (Earl BROWLOW):** My Lords, in reply to my noble Friend, I have to state that only one case of enteric fever has been officially reported, but I regret extremely to think that that one case should have been the case which must have caused very grave anxiety to my noble Friend. On Lord Sudley's illness being reported, a Board assembled on the 17th March. At that time the Adjutant informed some of the members of the Board that other officers had been previously ill; I think, probably, those were the cases which the noble Earl indicated in his question. These two officers who were ill were Lieutenant Fitzgerald and Lieutenant Forrester; both of them were attended by their own physicians, and it is very difficult to find out the particulars of their illness. On inquiry, I am given to understand that Lieutenant Fitzgerald was suffering when he was in barracks from passive congestion of the right lung; but I understand that after he left barracks he had an undoubted slight attack of enteric



fever. Lieutenant Forrester's case does not seem to be very clear. I am informed that he was attended by two private physicians; one of them appears to have attended him for influenza, and afterwards another physician who attended him says that he had an attack of enteric fever. In his case, however, it appears that it is very doubtful where that attack may have been contracted. The fact remains, however, that the attack of Lord Sudley was certainly contracted in barracks. A Board was assembled on the 17th March to inquire into the sanitary condition of the barracks, and reported that One and Two, Officers' Quarters, which are the quarters where Lord Sudley was, are in a good sanitary condition, but that in the servants' quarters underneath (and this is the important point; this is, no doubt, what was wrong) there was a foul-smelling sink near the window, the trap of which, at the time of their visit, had been removed. I think there can be no doubt at all that it was that sink that caused the illness, and that sink has since been removed. The Board then proceeded to inspect all the drainage arrangements of the barracks, and reported favourably; they then examined the water and milk supply, and reported favourably of both. I think, therefore, that everything has been done that can possibly be done. Quarters were found for the officers while the work was going on, at a distance from this particular part of the barracks, and since that time there have been no complaints of any sort. My noble Friend asks in his question whether there is any objection to lay these Reports, if any have been made, on the Table. If my noble Friend presses his Motion, of course I shall not refuse to do so; at the same time, as they are very simple Departmental Reports with very little detail, with nothing in them except what I have already laid before your Lordships, I daresay he will not press for them.

THE EARL OF ARRAN: No.

EARL BROWNLOW: I shall be only too glad to show my noble Friend the Reports, or to let him have a copy of them if he wishes it.

House adjourned at twenty minutes before Six o'clock.

## HOUSE OF COMMONS,

*Friday, 20th May, 1892.*

The House met at a quarter after Ten of the clock.

### MESSAGE FROM THE LORDS,

That they have agreed to—Pier and Harbour Provisional Orders (No. 1) Bill; Sunderland's Charity Bill, without Amendment.

### ROYAL ASSENT.

Message to attend the Lords Commissioners:—

The House went; and being returned—

Mr. SPEAKER reported the Royal Assent to,—Poor Law (Ireland) Act, 1892; Colonial Probates Act, 1892; Hares Preservation Act, 1892; Gaming Act, 1892; Labourers (Ireland) Act, 1892; Short Titles Act, 1892; Pilotage Order Confirmation Act, 1892; Local Government Board (Ireland) Provisional Order Confirmation (No. 1) Act, 1892; Pier and Harbour Orders Confirmation (No. 1) Act, 1892; Samuel Sunderland's Charity Scheme Confirmation Act, 1892.

House adjourned till Two of the clock.

## QUESTIONS.

### PROMOTION IN THE CENTRAL TELEGRAPH OFFICE.

EARL COMPTON (York, W.R., Barnsley): I beg to ask the Postmaster General whether the average service of clerks employed at the Central Telegraph Office who were promoted to the Senior Class prior to the issue of the Raikes scheme in 1890 was eighteen years; whether he is aware that there are now clerks with over twenty years' service whose prospects of promotion are remote, and whose annual leave is ten days less than the Senior Class; and whether he will make some arrangement whereby the amount of annual leave may in future depend on the number of years' service?

THE POSTMASTER GENERAL (Sir J. FERGUSSON, Manchester, N.E.): At the time of the last revision of the Central Telegraph Office, which took place in 1890, the average service of those who were promoted from the First to the Senior Class was between eighteen and nineteen years. Out of six hundred persons now standing on the First Class, only twenty are of more than twenty years' service, and of these some have been passed over as ineligible for promotion. Not one of the six hundred has yet reached the maximum of the First Class. The period of annual leave of absence is, in the case of the Senior Class, one month; and, in the case of the First Class, three weeks. It is not considered advisable to regulate the annual leave by length of service.

#### GLASGOW POSTMEN'S WAGES.

EARL COMPTON: I beg to ask the Postmaster General for what reason have the wages of twenty-one appointed postmen in Glasgow been reduced from 18s. to 17s. per week; and whether established postmen in Glasgow received 20s. a week fifteen years ago for the same class of work performed by those who now receive 17s. a week?

SIR J. FERGUSSON: The men in question were not "appointed," that is as permanent postmen, but temporarily employed at the minimum of the old scale—namely, 18s. a week. The scale of wages for postmen was altered from 18s. rising to 28s. to 17s. rising to 30s., and these men receiving established appointments before they had been employed for a full year were required by the Rules of the Service to commence at the minimum or else to defer their appointment to the end of the year. They were allowed the choice, and preferred the former arrangement. While the minimum of the new scale is lower than that of the old, the postmen receive with it certain new benefits—namely, extra payment for all Sunday duty, an allowance for boots, payment in proportion to their wages for extra duty, and a higher maximum. The minimum of the postmen's scale at Glasgow has never been permanently raised above 18s. a week, although about the period

mentioned it was necessary for a time to pay 20s. a week to new entrants on account of the then state of the labour market. The maximum, however, at that time was only 26s. a week.

#### WEXFORD POST OFFICE.

MR. THOMAS HEALY (Wexford, N.): I beg to ask the Postmaster General if there was any increase in the percentage of letters which passed through the Wexford Post Office last year as compared with seven years ago; and if there has been any acceleration of the mails during that period?

SIR J. FERGUSSON: There has been an increase of about forty-six per cent. in the correspondence passing through the Wexford Post Office during the last seven years. The increase arose mainly from the inclusion in the Wexford Postal District of a number of country post offices which were formerly in other districts, though served by the same line of railway. During the period mentioned there has been no acceleration of the mail trains, but in the autumn of 1884, just before the beginning of that period, a considerable acceleration was effected.

MR. THOMAS HEALY: Since this forty-six per cent. increase there has been no acceleration?

SIR J. FERGUSSON: No.

#### CADASTRAL SURVEY OF BEHAR.

SIR R. LETHBRIDGE (Kensington, N.): I beg to ask the Under Secretary of State for India whether one result of the commencement of a cadastral survey of Behar will be the creation of a large number of new appointments, at a heavy cost to the cultivators of the districts affected; whether his attention has been drawn to the representations of the Board of Revenue and other responsible officials to the Lieutenant-Governor of Bengal that the appointment of these strange officials will probably be productive of much extortion and litigation; whether an English officer has already been appointed, on a large salary, to direct survey operations, which, it is now stated, will not commence till October or until after the present distress has abated; and whether further appointments will be delayed until it is known

whether the monsoon that is expected in June will mitigate or intensify the famine?

\*THE UNDER SECRETARY OF STATE FOR INDIA (Mr. CURZON, Lancashire, Southport): (1) The Secretary of State has heard nothing of the creation of a large number of new appointments. The survey work will be undertaken for the most part by Behar village officials. The total cost, it is expected, will be within the estimated limit of eight annas per acre. (2) It is considered that the employment of the agency of village officials under a system of careful inspection will prevent extortion and oppression. Landholders and cultivators have been publicly invited to bring any complaints to notice. (3) Lieutenant Colonel Sandeman, a first grade Deputy Superintendent of Survey, has been appointed to direct the operations, with an allowance of Rs.400 a month in addition to his former salary, and is now engaged in making the preliminary arrangements. (4) It is not expected that any additional staff will be employed till the commencement of operations in October.

SIR R. LETHBRIDGE: May I ask the hon. Gentleman if the Secretary of State is aware that appointments have been made of officers from the North-West Provinces and other parts of India who are entirely strange to the country, and further, whether the Secretary of State will telegraph for full information on this and other points connected with the survey?

\*MR. CURZON: I shall be much obliged if the hon. Gentleman will place before me the information on which he bases his first question, and upon that must depend my ability to give an answer to the second.

#### FOOT-AND-MOUTH DISEASE IN PERTH.

SIR J. KINLOCH (Perth, E.): I beg to ask the President of the Board of Agriculture whether information has reached him that the Local Authority of the County of Perth, at their recent meeting, resolved, with only one dissentient, to express their dissatisfaction with the way in which they were ignored by him in reference to the formation of the recent foot-and-mouth

disease zone, he having stated that he acted on the representation of two gentlemen connected with the county, while the Executive Committee considered they should have been consulted; whether it has been brought to his knowledge that the scheduling of so large a county as Perth as an infected zone caused inconvenience and loss to many farmers and breeders in localities far remote from that really infected; and whether, if occasion should again arise, he will consult the Local Authority, established by law in the county, and constituted by the representatives of the ratepayers?

THE PRESIDENT OF THE BOARD OF AGRICULTURE (Mr. CHAPLIN, Lincolnshire, Sleaford): The assumption contained in the question of the hon. Baronet, that the recent foot-and-mouth zone in Perthshire was formed upon the representations of two gentlemen connected with the county, while the Local Authority was not consulted, is incorrect. The boundaries of that zone were defined upon the information at the disposal of the Board, and upon their own responsibility. What was determined, partly by the representations of the two gentlemen referred to, was the date of the application of the Order, and its substitution for the severer restrictions which embraced the whole of the county. The hon. Member will recollect pressing on me, in company with the hon. Member for Perth, that, whatever relaxations I might be able to make with respect to the restrictions existing in Perthshire, they should be made with the least possible delay, and I admit that I gave effect to that suggestion without waiting to consult the Local Authority, which would have entailed a delay of some days. In answer to the second paragraph of the question, I am quite aware of the losses necessarily entailed by the foot-and-mouth restrictions where they are in force, and that Perthshire was no exception to the rule; but they have been small as compared with the losses which would have resulted from the spread of the disease through the whole county, and they were inseparable from any effective measures for checking it. In reply to the third paragraph, I am always willing and anxious to avail myself of local knowledge and to

consult with Local Authorities whenever it seems to me to be expedient, but I have never regarded it, and I do not and I cannot regard it, as an obligation incumbent upon me to do so, and for these reasons. In the first place, in dealing with foot-and-mouth disease the utmost promptitude is frequently essential to success; and, in the second place, the interests of the locality and of the community may frequently be in conflict; and where that is the case it is my duty to protect the community from the spread of disease, quite irrespective of the views of any particular locality. For these reasons, I must respectfully decline to give the undertaking for the future which the hon. Baronet desires.

#### EXTRA POLICE IN ROSCOMMON.

MR. HAYDEN (Leitrim, S.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether his attention has been called to the refusal last Friday by the Roscommon County at Large Presentment Sessions, chiefly constituted of Magistrates, to pass a presentment for extra police; after such an expression of opinion, do the Government intend to continue this taxation for extra police; what is the number of constabulary, including extra men stationed in the county; what is the number of the free quota; and how many of the free quota are stationed in the county and how many in the depôt?

THE ATTORNEY GENERAL FOR IRELAND (Mr. MADDEN, Dublin University): It is the case that at the recent Roscommon County at Large Presentment Sessions disapproval of the claim for extra police was expressed, on the ground of the present condition of the county. Since the period, however, covered by that claim, a considerable reduction appears to have been made in the extra force serving in the county, it having been reduced within the past year by one-half—namely, from twenty to ten; and this number will be further reduced as soon as the responsible authorities are of opinion that this can be done with safety to the peace of the county. The police establishment of Roscommon consists at present of 323 free quota and ten extra force; in all, 333 sergeants and

constables, of whom, on April 30th, 1892, 322 were stationed in the county and eleven were in training at the depôt.

MR. HAYDEN: Who is the responsible authority to decide as to the necessary force?

MR. MADDEN: Those who are responsible for the peace of the district.

#### BOARD OF INLAND REVENUE SUPERVISORS.

MR. COX (Clare, E.): I beg to ask the Secretary to the Treasury whether, in view of the fact that expectant supervisors have proved that for some time past they have been working Excise districts with expense to themselves owing to the inadequate allowances granted, he will authorise the Board of Inland Revenue to make the general order of the 11th ult. retrospective for twelve months?

THE SECRETARY TO THE TREASURY (Sir J. GORST, Chatham): I do not admit that expectant supervisors have proved that for some time past they have been working Excise districts with expense to themselves, or that reason has been shown for taking the most unusual course of making the recent concession retrospective.

#### RIGHT OF MEMBERS TO VISIT PRISONS.

MR. PATRICK O'BRIEN (Monaghan, N.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether Members of Parliament are entitled, as such, to visit and inspect prisons in Ireland, and to visit and question prisoners as to their treatment, on satisfying the Governors that they are Members of Parliament?

MR. MADDEN: The General Prisons Board for Ireland report that no such privilege as that suggested in the question is accorded to Members of Parliament either by Statute or under the Prison Rules.

MR. PATRICK O'BRIEN: I beg to ask the Secretary of State for the Home Department whether Members of Parliament are entitled, as such, to visit and inspect prisons in Great Britain, and to visit and question prisoners as to their treatment, on satisfying the Governors that they are Members of Parliament?



THE SECRETARY OF STATE FOR THE HOME DEPARTMENT (Mr. MATTHEWS, Birmingham, E.): No, Sir, this exceptional right suggested in the question is not possessed by Members of this House.

MR. PATRICK O'BRIEN: I am informed that a Member of this House was informed not long since by the Governor of a prison that Members were allowed such visits.

#### TELEPHONE AND TELEGRAPH LEGISLATION.

MR. KIMBER (Wandsworth): I beg to ask the Postmaster General when he expects to be able to bring in the general Bill relating to telephones and telegraphs; and whether he is aware that progress in many important mercantile directions is being retarded by the want of legislation in the matter?

SIR J. FERGUSSON: I am not able to name the precise date for the introduction of this Bill, but I hope it will be introduced almost immediately.

#### THE PRIVILEGES OF AFRICAN COMPANIES.

MR. CUNINGHAME GRAHAM (Lanark, N.W.): I beg to ask the Under Secretary of State for Foreign Affairs if he could see his way to appoint a resident Inspector in each of the territories of the great Chartered Companies in Africa; if an Annual Report to Parliament from the Crown official could be furnished; if an assigned date for the termination of their privileges could be made, in order to open Parliamentary inspection and consideration; if he contemplates imposing any tribute to the Imperial Exchequer on these companies, and if there is any reason for delegating the Imperial authority in Africa to these companies, entirely composed of unofficial persons?

THE UNDER SECRETARY OF STATE FOR FOREIGN AFFAIRS (Mr. J. W. LOWTHER, Cumberland, Penrith): I am afraid I am not able to give the hon. Member a reply to his question. It only appeared this morning, and it raises a great many new points that require very full consideration before any useful answer could be given.

MR. CUNINGHAME GRAHAM: When will it be convenient to the hon. Gentleman for me to repeat the question?

MR. J. W. LOWTHER: If the hon. Member will put it down for Monday, I hope then to be able to give him an answer. At the same time, though, I ought to warn the hon. Member that it seems to me that the question raises points of a very debatable character difficult to be dealt with within the limits of a reply to a question; but I will do my best to give the hon. Gentleman an answer that will satisfy him.

MR. CUNINGHAME GRAHAM: I will put down the question for Monday. Upon one point, perhaps, the hon. Gentleman may be able to give me an answer now. I think it is a fact that the Charter of the Niger Company provides that the Secretary of State shall examine the accounts of the Company. Has this been done, and could the Secretary of State lay these accounts or any information on the Table of the House?

MR. J. W. LOWTHER: I think the question is one I have already answered in reply to my hon. Friend the Member for Liverpool (Mr. W. H. Cross). I do not carry in my memory the date of the answer, but if the hon. Gentleman will kindly refer to *Hansard*, I think he will find a reply to the question he has just put.

#### FINES UNDER THE MEDICINE STAMP ACTS.

MR. H. S. WRIGHT (Nottingham, S.): I beg to ask the Secretary of State for the Home Department in the case of a conviction under the Medicine Stamp Acts, what proportion of the fine is paid to the person giving information of the breach of the Act which leads to such conviction?

MR. MATTHEWS: By the 44 George III., c. 98, fines and penalties under the Medicine Stamp Acts go wholly to Her Majesty. The Commissioners of Stamps are, however, allowed at their discretion to pay to informers any proportion of the fine or penalty which was given to the informer under earlier Statutes; and it is the practice of the Commissioners to be governed by the circumstances of each case in deciding whether they

shall give any and what part of the fine to informers.

#### CLERKS IN THE OFFICE OF WOODS AND FORESTS.

MR. KELLY (Camberwell, N.): I beg to ask the Secretary to the Treasury, with regard to the decision of the Treasury some time ago that the junior clerks in the Office of Woods and Forests should be abolished and the staff recruited from the Second Division clerks, will he explain why on a vacancy occurring in the junior class last year the Treasury very reluctantly allowed the Commissioners of Woods and Forests to procure a junior clerk, but only on the distinct understanding that no further appointments would be made to that class; and whether he will state the reason for the declaration of the Commissioners of Woods and Forests, authorised by the Treasury, that the Second Division clerks are to be redundant, notwithstanding the fact that they have served for many years in such office, and not only are well acquainted with the work, but have, indeed, in many cases been entrusted in the absence of responsible officials with the discharge of the duties of the latter?

SIR J. GORST: The Treasury permitted a competitive examination for a junior clerkship in the Office of Woods to take place because they were satisfied that there was sufficient reason for filling up the vacancy. The subject of the establishment of the Woods Office has been discussed in connection with the adoption of seven hours. Some Second Division clerks will be transferred as opportunity offers, and some will be replaced, also as opportunity offers, by employees of a lower class.

#### WATERFORD AND LIMERICK RAILWAY.

MR. JORDAN (Clare, W.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland if he can give any assurance that the agreement said to have been signed between the Government and the Waterford and Limerick Railway Company is likely to be carried out by the said Company and the Government; if so, will he say when the work will commence;

and will he lay upon the Table of the House the terms of the arrangement?

MR. MADDEN (who replied): It will be necessary to have any agreement with the Waterford and Limerick Railway Company confirmed by an Order in Council, and when that is done the Order in Council will, according to practice, be laid on the Table of the House. There is no reason to suppose there will be any delay in the proceedings as soon as the Order in Council is obtained.

MR. JORDAN: Can the right hon. Gentleman say how long it will be before the Order in Council is obtained?

MR. MADDEN: That is not a matter upon which I have any knowledge. It is not a rapid proceeding, but it will not take any great length of time.

MR. JORDAN: The right hon. Gentleman observed the last clause of my question?

MR. MADDEN: The Order in Council will be laid on the Table as a matter of course.

#### INTOXICATING LIQUORS (IRELAND) BILL.

MR. LEA (Londonderry, S.): I beg to ask the First Lord of the Treasury, in view of his statement in January of this year—

"I am well aware that all classes in Ireland with but few exceptions share with me the desire that the Intoxicating Liquors (Ireland) Bill should become law,"

would he say what facilities or assistance he is now prepared to give for the passing of this Bill?

MR. JORDAN: Before the right hon. Gentleman replies to the question may I ask him if he did not say last year that the present state of this question is "disgraceful in the highest degree;" and will he allow the present Session to close without making some effort to remedy the anomalous state of affairs in relation to this matter?

THE FIRST LORD OF THE TREASURY (MR. A. J. BALFOUR, Manchester, E): I have not present to my mind the quotation, if it be a quotation, to which the hon. Member refers, though I believe I have commented more than once upon the unsatisfactory position in which this matter stands. In regard to the question of the hon. Member for

Londonderry, he has very correctly quoted words I have used in regard to this Bill, but I would point out to him that although I believe it to be true generally speaking that all classes in Ireland share in the desire that the Bill should become law, there is an important section, I will not say of Irish opinion, but of Irish representatives, who not only take a different view, but are prepared to back that view with all those powers of debate with which they are largely endowed. Under the circumstances I am afraid it would not be possible for the Government to find time for the discussion of the Bill, though if we could do so I should be extremely glad.

SIR W. LAWSON (Cumberland, Cockermouth): If as the right hon. Gentleman says the Bill cannot go forward on account of the opposition of a section of Irish Members, why will the same course not be pursued towards the Irish Local Government Bill, to which all the Irish Members are opposed?

[No answer was given.]

#### PAY AND ALLOWANCES OF PRISON WARDERS.

MR. LABOUCHERE (Northampton): I beg to ask the Secretary of State for the Home Department whether it is intended to grant the improvement in pay and allowances to prison warders who joined the service previous to the passing of the Prisons Act, 1877, which have been granted to those who joined after 1877; whether he is aware that in some prisons warders and other officers are on duty for over one hundred hours per week, this being, it is asserted, due to the system of sleeping in the prisons, under which men who have been on active duty for sixteen hours are confined to the prison all night, and during the night have to get up and attend to active duties; and whether he will inquire into this matter with a view to its remedy?

MR. MATTHEWS: The question of leveling up the pay and allowances of warders who joined the service before 1877 is now before the Treasury, and a decision will shortly be arrived at. The average hours of active duty for warders is sixty-three hours a week.

VOL. IV. [FOURTH SERIES.]

About once a week they are required to sleep in the prison, and they remain there from 8.30 p.m. till 6 a.m. the next morning, but during these hours they are not called upon to do active duty except in cases of emergency, which rarely occur. The grievance suggested in the hon. Member's question does not therefore exist.

#### THE POST OFFICE ELECTRICAL ENGINEER.

MR. LABOUCHERE: I beg to ask the Postmaster General whether he is aware that Mr. W. H. Preece, the chief electrical engineer at the Post Office, is in the habit of taking private practice in electrical work; and whether, in view of the fact that he is a Civil servant in receipt of an annual salary, this is in accordance with the Rules of the Civil Service?

MR. HENNIKER HEATON (Canterbury): Before the right hon. Gentleman replies to the question of my genial but misinformed friend, I beg to ask the Postmaster General whether he is aware that Mr. Preece has a high European reputation as an electrical specialist, that he could command double the salary he now receives from the Government if he would devote himself exclusively to private practice, and that in the work he now does in his spare moments for the furtherance of electrical science he is rendering substantial service to the community?

SIR J. FERGUSSON: The case of Mr. Preece is exceptional. Before he entered Her Majesty's Service twenty-two years ago he held certain paid employments besides his appointment as Engineer of the Electric Telegraph Company. Those employments he relinquished as being incompatible with his appointment at the Post Office; but, with the knowledge of the Department, he has continued to advise on great electrical questions outside of his regular duty, he being an expert of the highest standing. Such advice has been generally afforded to Public Bodies. For instance, in the lighting of the House of Commons, of the British Museum, the Dublin Museum, and the principal cities. His action in this respect has been quite public, and his Reports have been pub-

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lished. As an Electrician of European eminence he takes part in the development of electrical science. I am informed that he never turns to any work, other than Departmental, during office hours, without special permission. But his official work is by no means confined to those hours. It is performed unsparingly early and late, and even on Sundays. As I have said, his case is altogether exceptional and cannot form a precedent.

MR. LABOUCHERE: I should like to ask if Mr. Preece received separate fees for the assistance he rendered in connection with the electric lighting of the House of Commons?

SIR J. FERGUSSON: I think it is highly probable that he did, and that he has also received separate fees for the assistance he has given to various Public Bodies.

#### BRITISH EMIGRANTS TO BRAZIL.

MR. BYRON REED (Bradford, E.): I beg to ask the Under Secretary of State for Foreign Affairs whether his attention has been called to the Report of Mr. Walter T. Lyall, Her Britannic Majesty's Consul at Santos, in reference to the misfortunes of British emigrants to Brazil; whether, in his opinion, there is just ground for the conclusions at which Mr. Lyall has arrived, amongst which is the statement that—

“The Brazilian Agents, though instructed to recruit agricultural labour only, and receiving a commission for each emigrant engaged, eventually registered any individual who said he was an agriculturist”;

and whether Her Majesty's Government is prepared to take, or to recommend, any steps for bringing to book the Agents who have been the means of causing misery, disaster, and death to the unfortunate British subjects who became their victims?

MR. J. W. LOWTHER: My attention has been called to the Report referred to. The conclusion to which Mr. Lyall comes is probably correct, but it is not easily susceptible of verification. The Brazilian Minister informed us on the 28th March last that the Brazilian Government had no agency in England at that date; and the so-called “Colonisation Office” has ceased to act as the Agent of the

Brazilian Government, which on the 18th April, 1891, it professed to be. Many of those who emigrated from Bradford to Brazil were induced to do so through the agency of a man named Naylor, who, we are informed, has left the country. Even supposing that the parties responsible be found, it is difficult to say for what offence they should be prosecuted.

#### RETURN OF ELECTORS IN EACH CONSTITUENCY.

MR. LABOUCHERE: I beg to ask the Secretary of State for the Home Department when the Return of the registered number of electors in each constituency at the present time, which was ordered by the House on 10th March last, will be presented?

MR. MATTHEWS: I hope that the Return will be presented in ten days' time, or thereabouts.

#### LOANING PICTURES FROM THE NATIONAL GALLERY.

SIR W. FOSTER (Derby, Ilkeston): I beg to ask the Chancellor of the Exchequer whether he is aware that an application has been made to the Trustees of the National Gallery for the loan of a picture or pictures for the coming Centenary Exhibition to be held at Southport to illustrate the Art of the century; and whether such a loan could be granted, considering that the pictures would be placed in the permanent Art Gallery of the town, and not be subject to the risks of an ordinary temporary exhibition?

SIR J. GORST (who replied): My right hon. Friend has no information with regard to the application to which the hon. Member refers. The matter would be one for the Trustees to determine, and it would not fall in any way under his administration.

#### SCOTCH LANDLORDS AND CORN MILLS.

MR. CALDWELL (Glasgow, St. Rollox) (for Mr. FRASER-MACKINTOSH, Inverness-shire): I beg to ask the Lord Advocate whether landlords in Scotland are bound to uphold corn mills, used from time immemorial by the tenants; and, if not, whether he will introduce a measure dealing with such cases as

*Sir J. Fergusson*



those of Arisaig, where, from the discontinuance of the mill by a former owner, the tenants have to send their grinding corn to the Island of Eigg, many miles distant, and where they are often detained a week from stress of weather?

\***THE LORD ADVOCATE** (Sir C. J. PEARSON, Edinburgh and St. Andrew's Universities): I am not aware of any obligation on the part of landlords to uphold corn mills. So far as I can ascertain, no grievance exists, and no corn is grown in the district referred to with the view of being ground in Eigg or elsewhere.

#### GREENWICH HOSPITAL AGE PENSIONS.

**COLONEL HUGHES** (Woolwich): I beg to ask the Civil Lord of the Admiralty why the Minutes of Evidence and an Appendix, presented by the Select Committee on Greenwich Hospital Age Pensions, and ordered to be printed on the 7th April, have not yet been issued; and when will they be issued?

**THE CIVIL LORD OF THE ADMIRALTY** (Mr. ASHMEAD-BARTLETT, Sheffield, Eccleshall): They will be in the hands of candidates in the course of next week.

#### IRISH REGIMENTS AND HOME SERVICE.

**SIR T. ESMONDE** (Dublin Co., S.): I beg to ask the Financial Secretary to the War Office whether the 1st Battalion Connaught Rangers (late 88th), now stationed at Pembroke Dock, which is recruited entirely from the Province of Connaught, went to the Cape, May, 1877, from there went on to India at the end of 1879, returned home, December, 1891, and is under orders to move, in the autumn, to Portsmouth; and, if so, whether, considering that the battalion has not served in Ireland for several years, instead of being moved from Pembroke Dock so soon, it could be sent to Mullingar, which station will be then vacant?

**THE FINANCIAL SECRETARY TO THE WAR OFFICE** (Mr. BRODRICK, Surrey, Guildford): The facts are practically as stated in the question. The battalion, however, went abroad from

Ireland, and although on its return it was decided to station it in England, it will probably proceed to Ireland in its turn. I may add that out of eight Irish battalions now serving at home five are in Ireland.

#### ALLEGED SUB-CONTRACTING AT THE ALBANY BARRACKS.

**MR. SYDNEY BUXTON** (Tower Hamlets, Poplar): I beg to ask the Financial Secretary to the War Office whether he has received communications from the London Building Trade Committee in reference to alleged sub-letting of contract work at the Albany Street Barracks and elsewhere, asking him to receive a deputation from the Committee on the subject at an early date; and what decision he has come to in the matter? I beg also to ask the hon. Gentleman whether any of the brick-laying work being done under contract at the Albany Street Barracks has been sub-let; whether the sub-contractor has been, and is, paying the recognised rate of wages to the men he employs; whether he is aware that sixty-one of the bricklayers employed by him have struck work because the sub-contractor declines to carry out the conditions of employment recognised by the trade; and whether the War Office will make inquiries into the matter?

**MR. BRODRICK**: The London Building Trade Committee have made an application to the Secretary of State in connection with work at Albany Street Barracks, and the facts are being investigated. I am afraid, as the notice only appeared on the Paper this morning, I must ask the hon. Member to allow time for an inquiry into the matter. As to receiving a deputation, I may say that before any decision is come to by the Secretary of State I wish to know what the facts are.

#### THE HURRICANE AT MAURITIUS.

**MR. H. S. WRIGHT** (Nottingham, S.): I beg to ask the Under Secretary of State for the Colonies whether he has received any information as to the hurricane in the Mauritius?

**THE UNDER SECRETARY OF STATE FOR THE COLONIES** (Baron H. de WORMS, Liverpool, East Toxteth): The Acting Governor of

Mauritius has telegraphed to the Secretary of State for the Colonies the following facts:—

"Hurricane devastated Mauritius 29th April. One-third Port Louis destroyed. Royal College, twenty-four churches and chapels and many sugar mills in country completely wrecked. Over 600 deaths in Port Louis, over 300 deaths in country, over 1,000 wounded; in Port Louis district returns incomplete; probably same amount. No loss among the military. Estimated reduction of crop one-half. Destruction to property enormous. No famine apprehended. All relief measures taken. Relief Committees appointed. Panic allayed, order and quiet reign, but in presence of thousands of homeless people pecuniary assistance urgently needed."

I may add that the Secretary of State has communicated with the Lord Mayor with a view to the opening of a relief fund.

#### IMPORT DUTIES ON LINEN YARNS IN SPAIN.

MR. LENG (Dundee): I beg to ask the Under Secretary of State for Foreign Affairs a question on which I have given him private notice—whether Her Majesty's Government has received any reply to their representation respecting import duties on linen yarns in Spain in view of the expiry of the Treaty before the 30th June.

MR. J. W. LOWTHER: We have received a telegram this morning from Her Majesty's Ambassador at Madrid, in which he states that the Spanish Government are prepared to charge the same rate of duty which has up to the present been paid upon linen yarns, and that it will be continued until the 30th June, and after that date the new tariff will come into force.

#### ALIEN IMMIGRATION.

MR. JAMES LOWTHER (Kent, Thanet): I should like to ask whether the right hon. Gentleman the Leader of the House can give any indication as to when the Bill dealing with alien immigration is likely to be brought forward?

MR. A. J. BALFOUR: I think, Sir, it will be better if my right hon. Friend gives notice of the question. The Bill is in an advanced state of preparation.

*Baron H. De Worms*

#### PUBLICATION OF OLD STATE RECORDS.

MR. DALZIEL (Kirkcaldy, &c.): I beg to ask the First Lord of the Treasury whether, in view of the great interest which attaches to the official correspondence and papers of Thomas Pelham-Holles, Duke of Newcastle, covering the whole period of his long career in the Public Service, and especially that portion during which he was Prime Minister, between 1754 and 1762, and now included among the "Additional Manuscripts" in the British Museum, he will consider the possibility, for the aid of students of both national and local history, of having calendars of the collection prepared, in the same form as those of the State Papers in the Record Office, issued under the direction of the Master of the Rolls?

MR. A. J. BALFOUR: I have communicated with the Record Office, with whom rests the responsibility of publications of this character, and the answer I have received is that the Newcastle correspondence in the British Museum occupies more than three hundred volumes. I am informed that they cannot say off-hand whether or not the correspondence deserves to be made accessible at an earlier date than other important manuscripts of the same period.

#### BUSINESS OF THE HOUSE.

MR. WILLIAM REDMOND F. MANAGH, N.): I wish to ask the First Lord of the Treasury whether he cannot see his way to postpone the consideration of the Irish Local Government Bill in order that the House may at once enter upon the consideration of the Irish Education Bill, a measure desired by all classes in Ireland, and a measure of much more interest to the Irish people than the Local Government Bill now before the House?

MR. A. J. BALFOUR: I was not aware that there was a unanimous desire on the part of the Irish Representatives for the Education Bill in its present shape. However, I hope that before we take the next stage of the Local Government Bill we shall be able to make substantial progress with the

measure which he desires to see pass into law.

MR. WILLIAM REDMOND: May I ask the right hon. Gentleman whether he can give the date, as nearly as possible, when he will take up the Irish Education Bill, and will he also say whether that measure will be gone on with and carried through before the next stage of the Local Government Bill is taken?

MR. A. J. BALFOUR: Yes.

MR. SEXTON (Belfast, W.): May I ask the right hon. Gentleman to give some indication of a more definite character as to the fate of the Education Bill. I wish to ask him whether, assuming that the issue on the Second Reading of the Local Government Bill is determined early next week, what steps are proposed to be taken before Whitsuntide with respect to the Irish Education Bill, and whether he is going to proceed beyond the Second Reading?

MR. A. J. BALFOUR: I think it very unlikely that we shall be able to proceed beyond the Second Reading before Whitsuntide. We are now approaching the Vote on Account. The Treasury informs me that the Vote should be passed next Thursday, and I am anxious to finish the Report stage of the Small Holdings Bill, in order that it may be sent up to another place.

MR. WILLIAM REDMOND: I am sorry to trouble the right hon. Gentleman again, but it is a matter of considerable interest to the Irish people to know definitely what are the intentions of the Government with respect to the Education Bill. Is it the intention of the Government to proceed with that measure during the present Session, and to take the Committee stage of that Bill before taking the Committee stage of the Local Government Bill?

MR. PATRICK O'BRIEN: I should like to ask the right hon. Gentleman whether, since there is a unanimous opinion in favour of the Education Bill, and a unanimous opinion against the Local Government Bill, he will withdraw the latter?

MR. SPEAKER: Order! Order!

MR. A. J. BALFOUR: I can assure the hon. Gentleman I am most anxious

that the Education Bill shall be proceeded with, and I can give him a pledge that the Committee stage of it will be taken before the Committee stage of the Local Government Bill.

MR. SEXTON: Then we may assume that the Second Reading of the Education Bill will be taken before Whitsuntide?

MR. A. J. BALFOUR: I earnestly hope so.

MR. LABOUCHERE: Are we to gather from the speech of the right hon. Gentleman that he pledges himself to take the Committee stage of the Local Government Bill this Session?

MR. A. J. BALFOUR: What I said was that we should go through the Committee stage of the Education Bill before we entered upon the Committee stage of the Local Government Bill.

SIR W. LAWSON: Does the right hon. Gentleman really mean to take the Committee stage of the Local Government Bill at all?

MR. A. J. BALFOUR: That largely depends on the progress of Public Business.

## MOTION.

### STANDING COMMITTEE ON LAW, &c. (SITTINGS OF THE COMMITTEE).

THE FIRST LORD OF THE TREASURY (MR. A. J. BALFOUR, Manchester, E.): I beg to move—

“That, until the conclusion of the consideration of the Clergy Discipline (Immorality) Bill [*Lords*], the Standing Committee on Law, &c., have leave to sit every day during the sitting, and notwithstanding any adjournment of the House.”

The House will see that the Motion is not without justification when I state that whereas, according to ordinary precedent and the teaching of experience, a Bill of this kind might be expected to go through Grand Committee easily in the course of two Sittings, yet, as a matter of fact, three Sittings have already taken place, and only nineteen lines of the first clause have been dealt with, while the clause itself has not yet been passed. I am informed that on those nineteen lines thirty-three Amendments have been moved, chiefly by three gentlemen, and that a very large number still remain on the Paper

to be discussed. It is evident, therefore, that if the Committee is to make any progress, as the House desires it should, in dealing with the Committee stage of the Bill, some further facilities must be given to the Committee for discussing it. At present they can only meet practically twice a week, and they cannot sit to discuss business while this House is sitting. The Resolution which I now venture to commend for the approval of the House simply gives the power to sit, although this House is sitting, and even in cases when this House may be adjourned. I hope that with these additional facilities the Committee will get through the work which this House has entrusted to it, which without them I see no prospect of their being able to accomplish within a reasonable period.

Motion made, and Question proposed,

"That, until the conclusion of the consideration of the Clergy Discipline (Immorality) Bill [*Lords*], the Standing Committee on Law, &c., have leave to sit every day during the sitting, and notwithstanding any adjournment of the House."—(*Mr. A. J. Balfour.*)

MR. PHILIPPS (Lanark, Mid.) : The right hon. Gentleman (Mr. A. J. Balfour) has omitted to say one or two things in the statement he has just made to the House. He did not tell the House that those Members of the Committee who have put down a few Amendments to this Bill have facilitated the Sittings of the Committee in always attending and forming a quorum. The Attorney General, who is in charge of the Bill, will, I am sure, bear me out in this, and he has expressed his regret that the supporters of the Government have not attended better. Then, Sir, the Leader of the House has not stated that of the Amendments already discussed—some of which were consequential—five or six were of so excellent a character that the Government accepted them with pleasure. Now, Sir, I want to say one word on this proposal, which, although I welcome it, I think requires amending in one respect, and my hon. Friend (Mr. Lloyd-George) proposes to move an Amendment presently to carry out the object we have in view. It seems to me necessary that these Grand Committees should have greater facilities for discussing Bills

than they have at present. Three hours twice a week do not appear to me to allow them sufficient time to get through the work before them. I hope next year that the Grand Committee will be engaged on more important measures than have been submitted to us this year, and I hope the Committee will facilitate Radical legislation in times to come. As to the character of the discussions in the Committee, there is only one thing that I regret, and that is that pressure has been put upon some of us who dissent from some of the provisions of this Bill of a kind which I, for one, most strenuously resent. Our Amendments have been of a reasonable character; many of them have been accepted, and many of them, I believe, will be accepted, and hon. Members should be made aware of the fact that every Amendment we have put down has been with the object of strengthening the Bill. I was opposed to the Bill at the beginning, because I believe that there is much more important legislation which should occupy the time of the House. But the Bill has got into the Grand Committee, and we accepted the position loyally, and we do not want to be bothered with other legislation at the same time, but should be allowed to make the Bill with an other which we are dealing thorough and complete. One of the Amendments which I proposed with this object was every clergyman who is found in a public place twice, and convicted, should be turned out of his living. I do not further discussion. That the Bill accepted by the Government cannot be considered of a different character—but not quite so severe—have been accepted; and the House may be sure, will therefore understand that we have considerably improved the measure, and that, with the further facilities, and the way of time the Government to the now offering, we shall be able to govern the Bill a much more thorough and useful Bill than it was when it was sent to the Grand Committee. Therefore, although I shall presently vote for an Amendment which will further add to the merit of the right hon. Gentleman's proposal, I shall, at any rate, be able to support on principle the Motion that he has made.

*Mr. A. J. Balfour*



(2.54.) MR. LLOYD - GEORGE (Carnarvon, &c.): This Motion is an excellent one, and I shall support it generally, with an Amendment which I propose to move to it. I do not think the right hon. Gentleman has made out a case for specially extending the Motion to the Clergy Discipline Bill. We have only discussed this Bill for something like eight hours, which is equivalent to one Sitting of the House. I do not think that is extravagant discussion of a Bill which the Government consider of enormous importance, and I may mention in justification of the Welsh Members that not one long speech was delivered during the whole of the three days. The longest speech was delivered by the Member for Wolverhampton (Mr. Fowler), who has consistently supported this Bill, who supported the Second Reading, and has done his best to support its progress during the Sittings of the Grand Committee. On the Amendment which he supported the longest discussion took place, and the Amendment was merely a matter of sentiment and was of no real importance in connection with the practical working of the measure. That discussion occupied an hour and a half, whereas Amendments of real importance, which were designed to purge the Church of criminous clerks, did not exceed half an hour in discussion. For instance, an Amendment that was moved by the hon. Member for Mid Glamorgan was to the effect that if a clergyman was found guilty of treason or felony, or misdemeanour, and imprisoned for a period of not less than six months, with or without hard labour, his living should be *ipso facto* declared vacant. That is a reasonable Amendment, and it was only debated about twenty or twenty-five minutes. We were opposed by the Attorney General and all those who are in sympathy with the Bill, and we were told that we were moving trivial and frivolous Amendments. I challenge any hon. Member who is supporting the Bill to point out a single frivolous Amendment moved by us at any stage of the Bill, and yet after eight hours' discussion a special Resolution must be passed with respect to this Bill, and the First Lord of the Treasury has gone so far as to say that

the length of the discussion was unprecedented.

MR. A. J. BALFOUR: No, I did not.

MR. LLOYD-GEORGE: About seven years ago a Bill was discussed before this Committee on the subject of establishing a Court of Criminal Appeal, and on that occasion the discussion was kept going for twelve days by the Member for Paddington (Lord R. Churchill), the Secretary to the Treasury (Sir J. Gorst), and a gentleman who is not at present a Member of the House, Mr. Warton. Another Bill was brought in at the same time; and after it had also been discussed at great length, the Committee came to the conclusion that they could not pass it that Session, and the Order was discharged. This was the result of the labours of the Member for Paddington and of a gentleman who is now a Member of the Government, and yet, after three days' discussion of this Bill, a Resolution of this extraordinary character is presented to the House. I move to omit the words "until the conclusion of the consideration of the Clergy Discipline (Immorality) Bill (Lords)."

Amendment proposed, to leave out the words "until the conclusion of the consideration of the Clergy Discipline (Immorality) Bill [Lords]." — (Mr. Lloyd-George.)

Question proposed, "That the words proposed to be left out stand part of the Question."

(3.0.) MR. W. E. GLADSTONE (Edinburgh, Midlothian): When the constitution of this Committee was originally considered and fixed upon, it was thought, and I believe it was generally admitted by the House, that it would not be expedient to allow these Committees, as a matter of course, or by any action of their own, to sit during the Sittings of this House. The Amendment which has just been moved appears to me to be open to the very great objection that it would without any notice, or without any possibility of any adequate discussion, be at variance with that very carefully - considered and deliberated decision. I do not think we can proceed upon the consideration of the Amendment in its details with advan-

tage. It is a question of such importance that it would deserve consideration quite apart from the examination we might have to make of a special case. I should be quite satisfied with this Motion as it is set out by the right hon. Gentleman the Leader of the House if it had not been for one single expression used in the speech of the hon. Gentleman who has just sat down (Mr. Lloyd-George). He thought it expedient to deliver a challenge to the House and to all the Members of the House to contradict him if they were not prepared to assent to his assertion that all the Amendments moved in Committee had been so far reasonable, and that they were not open to the charge of being frivolous. I feel myself placed in so much difficulty by that challenge that I am obliged to notice, and I am bound to point out, that if this were the time for discussing the matter it might lead to a good deal of debate. I would suggest that that question had better stand over until the Amendments which have been moved in Committee are made the subject of debate in this House. But the right hon. Gentleman did not make these Amendments on their merits the subject of the present Debate. The Motion was made, so far as I understand, without any imputation on the conduct of any hon. Gentleman on the Committee. It is made upon grounds of general policy; and it is to the effect that, viewing the greater magnitude of the task before the Committee as it has now been opened, it is expedient to give increased facilities for the performance of this task. This is a Motion the general reasonableness of which has not been denied, and, if so, I should think the proper course for us to pursue is to dispose of it at once. It could not be convenient for us to allow discussion in regard to a Resolution which makes no imputation upon anybody, and which is generally fit and reasonable, to interfere considerably with the progress that we may make with the Debate, of to-day. If we are to go into controversial matter let it come in its own time, but there is no need to anticipate it. Let us, therefore, dispose if we can of that which does not give any reason for dissent.

MR. SAMUEL EVANS (Glamorgan, Mid): I am glad to hear that no imputation

is made on any Member of the Committee and we accept that assurance from the right hon. Gentleman the Member for Midlothian (Mr. W. E. Gladstone), although we certainly understood both from the tone and manner of the speech of the Leader of the House that very serious allegations were made against us with respect to the character and the number of Amendments which we have placed down for discussion in the Standing Committee on Law. I have not heard sufficient grounds for the acceptance of this Resolution as a precedent; and although I do not see much against the Resolution itself I do say that no ground has been made out for a Resolution of this kind with respect to this special measure. A series of Amendments were moved in Committee; and as they involved questions of principle, of course they required discussion, and it was for that reason that we objected to the reference of the Bill to a Standing Committee at all. We wished that the Bill should be discussed in a full House, and the Amendments carefully considered, and I venture to say that the discussions in the Standing Committee have not been too long. On the contrary, the discussions have been short with one exception, which has been referred to. I proposed an Amendment which was interesting from a theoretical and theological point of view, but did not deal with the practical question, and we did not attach much importance to it. That discussion brought out so great an authority as the right hon. Gentleman the Member for Wolverhampton (Mr. H. H. Fowler) who delivered by far the longest speech in that Committee, a speech that was characterised by the Attorney General as a repetition pure and simple of a speech which had been delivered by an hon. Member on a previous Amendment. The Motion of the Leader of the House is a very sweeping one; and if it is carried, the Committee will go on during the Sittings notwithstanding any adjournment of the House. I believe it was the right hon. Member for Midlothian who established this Standing Committee, and he said it was the intention of Parliament that this Committee should not sit at the same time as the

*Mr. W. E. Gladstone*

House, and he is still of opinion that that is the proper course. It is proposed now that we shall not only sit day by day, but also that we shall be allowed—which, of course, means that we must—to continue our Sittings whilst this House is sitting. I do not object to sitting day by day in Committee, though it is hard on many of us. The Attorney General and others are paid for what they do, but there are Members of that Committee who have to work for their living. Still there are many of us who, in the interests of the Church of England, are self-sacrificing enough to sit four or five days a week if necessary; but, as a Member of this House, I protest against being compelled to sit up there when there may be important business in this Chamber to which I desire to attend. I say it is not fair that any hon. Member who desires to attend to his business in this House should be detained upstairs with a Bill of this character, and I shall move an Amendment which will prevent the Committee from sitting after the House has commenced its real business. It is proposed that we should sit day by day, which I suppose includes Wednesdays, Saturdays, and Sundays, for it would surely not be inappropriate to be engaged with a Church of England Bill on Sunday. Well, I do not object to sit on Wednesdays and Saturdays, but the Resolution also says that we may sit on notwithstanding any adjournment of the House. I do not know whether hon. Members on the other side are prepared to spend their Whitsuntide holidays in attempting to purify the Church of England of criminal clerks, but I must protest against being called upon to sit in Committee on questions of this character after the House has adjourned. In the meantime I hope the House will not say that the Committee upstairs, which has worked very hard and very thoroughly up to now, is to be punished, as it were, by having to neglect its duties in this House, and further by having to sit during the Whitsuntide holidays and any adjournment of the House.

(3.11.) MR. THOMAS ELLIS (Merionethshire): The right hon. Member for Midlothian says that there

is no imputation that my hon. Friends who are Members of the Committee have at all frivolously moved Amendments or wasted the time of the Committee; but if the right hon. Gentleman insists on the insertion of these words, the Motion does make the imputation. I am not a Member of this Committee, but when I compare the number of Amendments moved and the discussions on them in the Grand Committee with those moved on the Bill which has occupied the House during the past three or four weeks, I find that the progress made is far greater in the Grand Committee than on the Small Holdings Bill. In most of these Bills the first clause is far and away the most important. On the Small Holdings Bill the discussion on the first clause took four or five days, but difficult points were elucidated and progress was made with the later clauses. The first clause in the Clergy Discipline Bill bristles with difficulties, and after careful examination of the Amendments moved by my hon. Friend and the discussions on them, I venture to say that the discussions were carried on very concisely and very shortly, and that, even if some of them were frivolous, which I completely deny, there was every disposition on the part of my hon. Friend to withdraw less important Amendments, and to insist, but shortly, on what he considered to be fundamental Amendments. That the Amendments were thoroughly good is evidenced by the fact that the learned Attorney General (Sir R. Webster), with the consent of the Committee, accepted several of them, and has shown also in the discussion that the Amendments of my hon. Friend have elucidated many difficult points in Clause 2 and the later Clauses of the Bill. Unless the Leader of the House withdraws these words, which refer to a special Bill, and makes it a matter of general policy that these Committees should sit from day to day and to any hour which the Committee may decide upon, I shall vote for the Amendment of my hon. Friend. Unless the imputation distinctly made by the inclusion of these words is withdrawn, I hope a large number of Members on this side will also vote for the excision of these words.

Question put.

(3.13.) The House divided :—  
Ayes 201; Noes 40.—(Div. List,  
No. 136.)

(3.23.) MR. SAMUEL EVANS: I beg now to move, Sir, in a very few words, an Amendment which I think will have the sympathy of the House. I move, Sir, to leave out all the words after "day," in order to insert the words—

"Except Wednesday and Saturday, during the sitting of the House, but not later than half-past Three."

I venture to think the Government have no right to expect us to sit six days a week. We are willing to sit four days a week if necessary, but it would be a great disadvantage to Members to have to sit on Wednesdays and Saturdays. I hope the Amendment will meet the approval of the House. I have already given my reasons for objecting to sit on the Committee when the real business commences in this House. If we extend the time to half-past three o'clock, it means that on Tuesday and Friday there is an extension of an hour and a half, and half an hour on the other days. Another effect of the Amendment would be to leave out the words "notwithstanding any adjournment of the House," and I think the desirability of leaving out those words does not require any argument.

Amendment proposed,

To leave out from the word "day" to the end of the Question, in order to add the words "except Wednesday and Saturday, during the sitting of the House, but not later than half-past Three."—(Mr. Samuel Evans.)

Question proposed, "That the words proposed to be left out stand part of the Question."

(3.25.) MR. A. J. BALFOUR: I quite agree with the hon. Gentleman that it is a great burden to ask the Committee to meet on those days; but who is responsible for that burden I do not care now to inquire. I would point out that, as the Resolution now stands, they are not obliged to sit on Wednesday or Saturday, or obliged to sit after half-past three. Therefore, if the Committee deliberately think they must sit on those very inconvenient days, and after that very inconvenient hour, it will be

because they think it is obligatory upon them. I hope that will not prove to be the case, and if it does not prove to be the case, the Committee will have it in its power not to require its Members to sit on those days, and not to throw any unnecessary burden on them. I hope the hon. Member will not press the Amendment.

(3.27.) MR. THOMAS ELLIS: I think it is monstrous that the First Lord of the Treasury should now try to throw on my hon. Friend the responsibility for having such a Motion as this referred to the House. I venture to say that the right hon. Member for Midlothian in his speech took what was the fairest and most reasonable view of the matter; and when a fair Amendment is proposed, by which the Government will gain four hours a week, as well as two days, they ought to meet my hon. Friend by accepting it. I hope a large number of Members on this side who are already serving on a number of Committees, as well as attending to their private business, will make a strong protest against this ruthless way of compelling Members to attend long hours each day in the service of the House. The right hon. Gentleman by the course he has taken is doing nothing to preserve the free discussion of this Bill, and if he insists upon his methods he will find that he will gain nothing. The Bill will be thoroughly discussed. My hon. Friends will never submit to any pressure in this House, or elsewhere, which will prevent them from giving a fair and ample discussion to this Bill. The right hon. Gentleman by his attempt to place the responsibility for obstruction upon my hon. Friends is only doing what has been tried several times before with regard to general questions on this side of the House by him and other Leaders of the House. I venture to say it is not a fair way of dealing with those who have discussed this Bill fairly, and who desire still to do their business, not only in this Committee, but in the House as well.

\*(3.33.) MR. BARTLEY (Islington, N.): As one of the Members of the Committee I must protest against what has been said by the hon. Member who has just sat down. There is no good mincing matters. This is an attempt to put down the most reckless obstruc-



tion. The obstruction is from four Members who are on that Committee, and who are determined to stop this Bill passing. To talk of adding an hour or an hour and a half to the time seems to me to be simply childish. They may talk of adding another hour or two, or three or four, or even five hours; but what I say is that having referred this Bill to the Grand Committee, that Committee should get through with it, if they should sit from Monday noon till twelve o'clock at night, to put down obstruction. Then the hon. Gentleman says, to show how *bona fide* were these Amendments, that there was an Amendment moved by which a clergyman found drunk twice on the street was to be punished, which was not recognised to be a proper Amendment. That is not a correct statement of the facts. I asked the question myself, and it is clear from the Bill that a clergyman who is found intoxicated once on the street will of course be turned out of his benefice. ("No, no!") I say "Yes." It is under Clause 2. There is no question whatever about it; but we are not permitted to get to Clause 2. I defy anybody who reads the records of the Committee to say that this is not a most gross piece of absolute obstruction. If four Members are to be allowed to talk out and stop a Bill of this sort, all I can say is this, that Parliament must alter its Rules completely. I do hope that this Motion will be carried, and that we shall sit next Monday, not only during three hours, but the whole time up to twelve o'clock at night, to show these four hon. Members that we are determined to pass this Bill.

(3.34.) MR. ROBERTSON (Dundee): The tone and language of the hon. Member who has just sat down has imported into this Debate an element which had better have been left out. I had no intention of supporting my hon. Friends below the Gangway on this occasion, and I had no intention of taking part in the Debate but for the few words which have fallen from the hon. Gentleman opposite; and I wish to say at once that I am not an opponent of this Bill. I have never voted against this Bill, and I have taken no part in the Debate on the Bill. I

neither commend nor condemn the course taken by the Welsh Members below the Gangway in this House and in the Committee. But I wish to say this—and this has been directly brought out by what has fallen from the hon. Member opposite—that if this Motion is an attempt to put down obstruction in the Grand Committee, I venture to say there ought to be no such thing possible as obstruction in the Grand Committee, and no Bill ought ever to be referred to a Grand Committee that is capable of being obstructed—("Oh, oh!")—which is in its nature contentious. ("Oh, oh!") The First Lord of the Treasury assents to that proposition. I do not know whether the First Lord of the Treasury has sat on a Grand Committee. I have sat on Grand Committees during the last six years. I recognise the utility of these institutions; I recognise the usefulness of the mixed system; but there is no part of our procedure which is susceptible of more dangerous development than this Grand Committee system. I have come to this most definite conclusion, with which I believe that all Members who have experience on Grand Committees will concur, that they are a useful instrument for Bills of a technical character or that require the consideration of Members who are more or less experts; but if Bills involve contentious matter, then they ought not to be sent to a Grand Committee at all. We had a Bill of this sort four or five years ago before a Grand Committee, the Light Railways Bill, with regard to which the same sort of charge was made. I am not charging the Welsh Members with obstruction, I am not disposed very much to favour their methods; but I believe they have done what they conscientiously believed to be right. The first mistake was made late at night when this Bill was first of all closed to the Second Reading, and when the reference to the Grand Committee was carried without discussion. The very fact of this Bill having been closed to a Second Reading rendered it unfit to be sent to a Grand Committee. I shall vote against the substantive Motion when it comes back, because I believe it to be a Motion in aid of this reference

to a Grand Committee of a Bill which ought not to have been so referred.

(3.37.) MR. CUNINGHAME GRAHAM (Lanark, N.W.): Of course, personally I do not care very much whether a clergyman is found once or twice drunk on the street. I merely wish to say that I differ from the hon. Member who has just sat down in what he has said about the tone and language which have been imported into this Debate. I am very much obliged to the hon. Gentleman who made use of that language for introducing that tone. I cannot say that I would have adopted it myself, but I must say that if you want to have the attention of the public fixed upon a matter like this, it is by importing a tone of acrimony into a Debate that you can most effectually fix it. There is one other point on which I do not think my hon. Friend the Member for Dundee was right; that was when he said that no Bill should be referred to a Grand Committee which it is possible to obstruct. I do not know how far I have myself obstructed since I have been in this House, but I hope at some future time to inflict my obstruction and tediousness on the House. But I may remind my hon. Friend the Member for Dundee and other Members of the House, that this is a question on which there is a keen feeling in Wales; and if the hon. Members from Wales have been in earnest in what they were bringing before that Committee, and if they obstructed in the Grand Committee or in the House, they did what I hope they will do on other questions, because I know perfectly well that all the electorate of Wales will stand any amount of obstruction on this question, either in this House or in the Grand Committee.

(3.40.) SIR W. LAWSON (Cumberland, Cockermouth): I do not wish to imitate the hon. Member who has just sat down.

MR. CUNINGHAME GRAHAM: I quite absolve you.

SIR WILFRID LAWSON: There has been a new tone introduced into this Debate. It appears from speakers on the other side that this Motion is intended distinctly to put down obstruction, and it has been clearly pointed out that

four Members sitting here are the guilty parties. When I think of that, it reminds me of old times. It is four Welsh Members who are the four obstructors; but I see four other Members sitting here to whom in obstructing these Welshmen could not hold a candle. I ask the right hon. Gentleman the Leader of the House will he deny that he is sitting there now because he obstructed with skill? I think it is rather too late in the day for his friends to get up and say they are actuated by a holy horror of obstruction. I do not know now how this Debate will end; I do not know when it will end; but I think there is one thing clear, and that is that the country will read, mark, learn, and inwardly digest what is going on. I am not seeking to blame anybody; I am only going to point out the uncertainty of this House.

\*MR. SPEAKER: Order, order!

SIR W. LAWSON: Mr. Speaker, as I see you are going to call me to order, I shall sit down.

\*MR. SPEAKER: I was not so much going to call the hon. Baronet to order as to observe that the Debate generally was getting rather wide of the particular Amendment before the House.

(3.42.) MR. PHILIPPS: I do not intend to stand between the House and the Division for more than a moment. I only want to say one word. I am sorry the right hon. Gentleman the Leader of the House has not seen fit to accept this Amendment, which is an Amendment, I think, of an exceedingly moderate character. As to the remarks of the hon. Member for Islington, I think he is sufficiently answered by the fact that he or any Member of the Grand Committee on Law has been challenged to put his finger on any one of these Amendments and say which Amendment is obstructive, which Amendment would not strengthen the Bill. There is not a single Amendment either in the name of myself or any of my hon. Friends that anybody could say is obstructive or that would not strengthen the Bill. We have given that challenge, and hon. Members opposite have absolutely refused to meet it. I think we below the Gangway here are to-day in an unfortunate

position, and I ask the House to sympathise with us. We are in an unfortunate position because we are a small minority, and we have no leader. Where is my hon. Friend the Member for Northampton? Even he has left off leading us below the Gangway. I regret his absence. All we want is a leader.

\*MR. SPEAKER: The Question before the House is whether Wednesday and Saturday should be excepted. The hon. Member is not speaking to the Amendment.

MR. PHILIPPS: I had hoped to have heard the views of some hon. and right hon. Gentlemen on the Front Opposition Bench on this Wednesday and Saturday question. I had hoped to have heard what the right hon. Baronet the Member for the Clitheroe Division would have told us; whether he thinks we ought to sit on Wednesday and Saturday. It will be in the recollection of all the Members of the Grand Committee on Law that yesterday afternoon the right hon. Baronet the Member for Clitheroe took or attempted to take the leadership of my hon. Friends and myself. He was directing our operations and I think I have a right of complaint against the right hon. Baronet that after attempting to lead us on the Grand Committee on Law, he will not even express his opinion upon matters in which we have a deep interest when he comes down to the House.

(3.45.) MR. ARTHUR O'CONNOR (Donegal, E.): I do not rise to complain of the language or manner of the hon. Member for Islington, but to take note of the fact that when he spoke about obstruction in the Standing Committee his words were hailed with a universal cheer from that side of the House. I would suggest to the consideration of the House whether if the charge made by the hon. Gentleman is true, the Resolution which is before the House is the proper mode of dealing with the mischief. I should myself be inclined to think that it is an unreasonable thing that because a well-known and recognised Parliamentary offence is committed by a small number of Gentlemen either in the House or in the Grand Committee, a measure should be taken

which should be punitive not only in respect of these individuals, but also of every Member of the Committee. When we consider what that involves to a large number of Members of the House upon whose time there is already so much pressure, I say I think the House ought to pause before it comes to such a decision. I recollect some years ago I was on the Standing Committee on Law, when the Bankruptcy Bill of 1883 came before the Committee. The proceedings were exceedingly protracted. I myself moved 147 Amendments, and carried forty-two of them. The right hon. Gentleman the Member for Birmingham, who was co-operating with us, repeatedly expressed his conviction that the proceedings in that Committee, if they were not obstructive, were at any rate closely bordering upon obstruction; but nobody proposed that we should sit even four days in the week, and such a proposal never entered anybody's mind. It appears to me that there is very great danger in establishing a precedent of this kind, and that if an offence has been committed it ought to be dealt with in a different way. This particular way is unreasonable and unjust.

\*(3.51.) MR. JOHN ELLIS (Nottingham, Rushcliffe): I venture to remind the hon. Member (Mr. A. O'Connor) that we on the Grand Committee are not prisoners, as he has suggested, by this Resolution, which is purely permissive and not mandatory. The Resolution only gives the Committee further powers than it now possesses, but its hours are entirely within its own will. I do not think the number of Members on the Committee against whom any charge of unduly prolonging the discussions is as high as four. I am not one of the supporters of the Bill now before the Committee, but having been present at the Committee during all its Sittings, and having helped the Government rather better than they sometimes have helped themselves at making a quorum, I venture to say that the question before the House is really the efficiency of these Grand Committees to carry on their business, and I support this Resolution, believing that in so doing I am supporting that efficiency.

\*(3.53.) MR. DAVID THOMAS (Merthyr Tydvil): I am curious to know whether I am one of the Members whom the hon. Gentleman thinks unduly protract the proceedings of the Committee. I think the Welsh Members have every reason to complain of the tone of this Debate. What could we possibly gain by obstructing the passage of this Bill upstairs? Even were we so minded we could only delay it for a day or two; but the House is not ready yet to consider the Report stage of the Bill, and, therefore, a couple of days more or less occupied in Committee will not in the smallest degree prejudice the passing of the Bill this Session. I would suggest an answer to the question by the First Lord of the Treasury as to who is responsible for the protracted proceedings. The Attorney General said in the case of one Amendment he could not accept it, because to do so would be a breach of faith with the Bishops. Things have come to a pretty pass when Bills coming down from the Lords are not to be amended or discussed because of some agreement which has been entered into between the Government and the Bishops.

(3.55.) MR. LABOUCHERE (Northampton): I do not wish to go into the merits of the Bill, or into the question whether there has been obstruction upstairs. It certainly seems rather a strong measure that the Grand Committee should be called upon to sit during the hours that a discussion is proceeding in this House. We are sent here by our constituents to profit by all the wisdom that falls from Members in the House; but here you would have thirty or forty Members who could not listen to the speeches. But there is another objection. It might be said that although Members did not fulfil their duty of hearing the speeches at least they might vote; but by this Resolution voting might be proceeding upstairs in the Committee and here in the House at the same time. I do not give much weight to the question whether the Grand Committee should sit on a Wednesday, but we ought to

have a clear understanding as to the business of these Grand Committees. Under these circumstances, I certainly should feel myself bound to vote against the Grand Committee being called upon by a Rule of this House to sit while this House is engaged in a discussion.

(3.57.) MR. CRAWFORD (Lanark, N.E.): It would be a great pity if there was any considerable expression of objection by Members on this side against this Resolution, which I believe in the circumstances to be absolutely necessary. My friends below the Gangway have said that they do not desire to obstruct the Bill, and that, on the contrary, their object is to improve it. Of course I accept that statement, but we must form our own judgment as to the effect of the course they have taken of repeating Amendment after Amendment on the same principle after a Division was taken. Their efforts to improve the Bill would have made it impossible for the measure to pass; and they thereby would have inflicted a deep wound upon one of the most useful and pleasant institutions connected with this House—I mean the Grand Committees, where we can discuss Bills in a friendly manner with an absence of all Party spirit. The course which is being followed would fatally damage the Grand Committee, as well as prove fatal to the Bill. We have no power of closing in the Grand Committees, and therefore it is necessary to provide the remedy of prolonged powers of sitting which may or may not be exercised. For that reason I consider the Resolution is absolutely necessary, and I trust it will be supported from this side of the House.

Question put.

(3.45.) The House divided:—Ayes 63; Noes 233.—(Div. List, No. 137.)

Main Question put, and agreed to.

Resolved, That, until the conclusion of the consideration of the Clergy Discipline (Immorality) [*Lords*], the Standing Committee on Law, &c., have leave to sit every day during the sitting and notwithstanding any adjournment of the House.



## ORDERS OF THE DAY.

LOCAL GOVERNMENT (IRELAND) BILL  
(No. 174.)

## SECOND READING. ADJOURNED DEBATE.

Order read, for resuming Adjourned Debate on Amendment to Question [19th May], "That the Bill be now read a second time."

And which Amendment was, to leave out the word "now," and at the end of the Question to add the words "upon this day six months."—(*Mr. Sexton.*)

Question again proposed, "That the word 'now' stand part of the Question."

Debate resumed.

\*(4.14.) MR. PATRICK O'BRIEN (Monaghan, N.): I rise to a point of order. The right hon. Gentleman the Leader of the House, when asked whether it was the intention of the Government to proceed with the Committee stage of the Local Government (Ireland) Bill, gave an answer which left no doubt in the minds of hon. Members that the Government do not propose to go into Committee on the Bill.

THE FIRST LORD OF THE TREASURY (Mr. A. J. BALFOUR, Manchester, E.): I never said so.

\*MR. PATRICK O'BRIEN: I wish to know whether it is in Order to continue the discussion upon the Motion for the Second Reading of a Bill which the responsible Minister of the Crown admits is not to be carried into Committee.

\*MR. SPEAKER: Order, order!

\*MR. PATRICK O'BRIEN: I beg to move that the Question be now put.

\*MR. SPEAKER: Order, order! I must decline to allow such a Question to be put.

(4.16.) MR. MACARTNEY (Antrim, S.): In the discussion upon this Bill, the hon. Member for West Belfast said that he had been unable to discover what the County Councils in Ireland would do under its provisions. I am not surprised at his failure, because the hon. Member is lacking in the essential quality necessary to enable him to form an adequate judgment on

the provisions of this Bill. He, no doubt, subjected the measure to a searching examination; but the whole tone of his remarks showed that he had no knowledge of the business which is transacted at the Baronial Sessions and before Grand Juries in Ireland. From the standpoint of the hon. Member, the business at the Baronial Sessions and before a Grand Jury is of a humdrum character. Necessarily so. The sittings do not provide the exciting scenes and mutual invective which make some meetings so interesting to the public. The hon. Member said that the people of Ireland would not accept this measure; but I entirely refuse to take the hon. Member as the mouthpiece of the Irish people in regard to this Bill. I am not aware that he is even entitled to speak for the smallest section of hon. Members opposite. We have heard this sort of declamation before. It is part of the stock-in-trade of hon. Members sitting on the other side of the House to say that the people of Ireland will refuse to accept any measure coming from this side of the House. I want to draw the attention of the House to the attitude of hon. Gentlemen opposite and to the character of the attack which they have made upon this Bill. Their arguments were not only conflicting in character, but they were absolutely self-destructive of each other. Now the hon. Member for Northampton charged the Government with having neglected their pledges, and the hon. Member for West Leeds (Mr. H. Gladstone) accused them first of all of delay, and then, abandoning that charge, he proceeded to assert that they had had no mandate for the production of this Bill. Then the hon. Member for Newcastle said this was a reactionary measure—more reactionary than that produced in 1879. The Bill of 1879 may have been of a more liberal and less reactionary character than the present Bill, according to the views of the young men who dream dreams and the old men who see visions on the opposite side of the House; but I should be sorry to see any Member on this side of the House introduce a Bill of the character of that which was introduced in 1879. The hon. Member for Carnarvon called the

attention of the House to the proceedings of the Committee which sat in 1879; but I must remind hon. Members that that Committee was not appointed to consider the question of Local Government in the counties of Ireland, but that of the Local Government and the taxation of the towns of Ireland. Then, again, the hon. Member for the City of Waterford wrote an article in the *Fortnightly Review* in the month of May, in which he attacked this Bill from beginning to end, and most of his points were repeated yesterday by the hon. Member for West Belfast. The hon. Member for the City of Waterford said the Bill was based on a distrust of the Irish people, and that it was insulting and vicious in principle. I ask how far he can possibly maintain that criticism. What is there in the limits of this Bill that is insulting or vicious? So far as the question of the franchise is concerned, there is nothing in the Bill to warrant the charges brought by the Member for the City of Waterford against it. It is not an insult to the Irish people, and it is not vicious when compared with the measure relating to England and Scotland. Take the Baronial Councils and the County Councils. They are to have elected members. So far, therefore, as those Bodies are concerned, the Bill is far from being insulting to the Irish people or vicious in principle. So far, therefore, I am at issue with the hon. Member for the City of Waterford and the hon. Member for West Belfast. I also say that the County Councils are not "cribbed, cabined, and confined," under this Bill I assert that the County Council exercises an absolutely free and unfettered control over the annual expenditure of the county, and that the only body in connection with this Local Government Bill that is fettered is the Joint Committee. In considering the question of Local Government in Ireland, it is necessary to recollect the position of Local Government at the present moment. Hon. Members have, inside and outside the House, dealt with the Grand Juries as if they were omnipotent. They are nothing of the kind, and anybody who knows anything of the Grand Jury system knows that the Grand Jury are not the initiating body;

*Mr. Macartney*

that they have no power to deal with county expenditure in Ireland except that which is sent to them from the lower body of the Baronial Sessions. And the Joint Committee has really conferred upon it much smaller powers than the Grand Juries have at the present moment. I desire to consider fully what are the powers of the Council. The hon. Member for Waterford (Mr. J. Rednond) said the Bill preserved intact the powers of the Grand Jury, and he said it gave the control, particularly of finance, to the Joint Committee. The hon. Member for West Belfast (Mr. Sexton) said the Council would be the mere drudge of the Joint Committee, and that the Committee would be able to vote down the Council. I protest against that view being taken of the probable action of the Committee. It is not in accordance with the facts of Local Government in Ireland. In the first place, I will take the conduct of affairs at the Baronial Sessions, than which there could be no more popular assembly for the transaction of county business. The whole neighbourhood attend, and with little check from the presiding Magistrate state their opinions. And although the Sessions are carried on by Magistrates and cess payers selected by what I believe to be a cumbersome method, the decision arrived at by the Baronial Session is a popular conclusion, and in ninety-nine cases out of a hundred reflects popular opinion on the matter. There is no practice in Ireland which the hon. Member can allege in support of his statement that the representatives of the Grand Jury upon the Joint Committee would be likely or would necessarily or perpetually vote down the representatives of the cess payers; and I protest against that view being taken either by the House or by the country as a fair representation of what would occur upon these Committees. Then as to the question whether the Council is to be the drudge of the Committee, let me remind the House that, under this Bill, the Joint Committee is only given powers over capital expenditure. I will take the clause with the interpretation put upon it by the hon. Member himself, and will draw the attention of the House

to the fact that the capital expenditure of the county, as interpreted by the hon. Gentleman, forms a very small percentage indeed of the whole expenditure, which, as I maintain, is under the free and unfettered control of the County Council. I have here a return dealing with the expenditure of the County of Antrim for the last five years, discriminating between capital expenditure as it will be under the provisions of this measure, and total expenditure under the total presentments of the county. In 1887 the capital expenditure was only 13 per cent. of the total expenditure; in 1888 it was only 12 per cent.; in 1889, 16½ per cent.; in 1890, 20½ per cent.; in 1891, 17½ per cent. of the total, making an average for the five years of 15¾ per cent. And it must be remembered that the County of Antrim shows a higher ratio than any other county in Ireland. I have also a return for the County Down for the same number of years, and in only one of the five years was the capital expenditure one per cent. of the total expenditure of the county. The average for the five years was .82 per cent., so that in County Down only an infinitesimal proportion of the capital expenditure would be drawn from the free and unfettered control of the County Council. I take next a county with which I am intimately connected—the county in which I live—Tyrone. That county is a fair example, and it is a county which has the two rate guarantees which are given under the clause, and one that meets in every respect the provisions of this clause withholding from the County Councils certain control. The proportion of the capital expenditure of the County of Tyrone during the last five years was only 3.04. I will just give one more instance to complete the argument which I want to draw from this. I will take the total sum of the presentments for the whole of Ireland for 1889, and I will take that year because it is the last year available in *Thom's Almanac*. I will ask the House to listen to the result which shows how infinitesimal is the point which the hon. Member for West Belfast is making against the Bill upon

this clause. The gross presentment in Ireland for 1889 was £1,320,464. I will draw the attention of the House to two items—one is the item for new roads, new bridges, and the repair of roads and bridges about the county, which comes to £654,576, and the other deals with the buildings under the control of the Grand Jury, amounting to £8,060. These items make together £662,636. Now the proportion of that particular sum, taking the County Tyrone as an average county, that would be withdrawn from the absolutely free and unfettered control of the County Council would be £19,879. That is to say, that out of the whole sum under the control of the County Council by this Bill, £1,322,464, the control of only a sum of less than £20,000 would have to meet with the approval of the Joint Committees in the counties of Ireland.

MR. SEXTON (Belfast, W.): What about the officers' salaries?

MR. MACARTNEY: The officers' salaries are not capital expenditure.

MR. SEXTON: They are under the control of the Standing Joint Committee.

MR. MACARTNEY: They do not come within the provisions of the clause, and I contest altogether the point which the hon. Member makes. The whole of the salaries of the officers only amount to £190,000, and the hon. Member will see that if worked out that will hardly be one per cent., and will not make it five per cent. of the calculation I have made. It will not affect the argument at all. The figures on this question are entirely against the view which he has presented to the House that this Bill mutilates the power of the County Councils by withdrawing control. I say, and I have shown, that the items which are withdrawn from the control of the County Councils, and which must come under the approval of the Joint Committee, form practically an insignificant proportion of the expenditure of any county in Ireland. I wish to say a word upon the constitution of the Joint Committee. I admit, as was admitted by my right hon. Friend in introducing the measure, that the provisions of the Bill with

regard to the Chairman of this Joint Committee are not satisfactory. An attack has been made on the Sheriff as the Chairman by the hon. Member for the City of Waterford, who has clearly manifested thereby his entire lack of knowledge of the Grand Jury system. He objects to the Sheriff as being one of the hardened sinners on the Grand Jury. As a matter of fact the Sheriffs are generally the youngest members of the Grand Juries, the most inexperienced, and therefore from my point of view the least proper persons on the Grand Juries to be appointed Chairmen of these Joint Committees. But I understand it is not a provision to which the Government are absolutely pledged; because they themselves say they experienced difficulty in settling it. There are no officers in Ireland who correspond to the Sheriff in Scotland. I do not believe it will be possible to substitute the County Court Judges, for reasons which are apparent to anybody who knows Ireland. They are not connected with merely one county, and therefore they would not suit the convenience of the Joint Committee or of the public administration of business. Then there is the Lord Lieutenant of the county, and I discard him for other reasons which I need not discuss now. I have, however, a suggestion to make as to the Chairman—either let the senior member of the elected representatives of the Grand Jury be the Chairman, or let the foreman of the Grand Jury preside. If you took the foreman of the Grand Jury the interests of public business would be served; and in Ireland it is a question of the adequate transaction of public business. In the case of England and Scotland the Government recognised this by putting in the position men who were acquainted with the discharge of public business, that the County Councils might be informed of their duties. If that was required in the case of England and Scotland, it is certainly necessary in the case of Ireland. I do not attach any value to the charge of the hon. Member for West Belfast that the seven Grand Jurymen and the Sheriff would vote down the other seven representatives of the County Council. It is a charge that can be made in this

*Mr. Macartney*

House with great freedom; but it is a charge discredited in Ireland, and it is a charge devoid of weight or substance. I do not care to discuss whether the Joint Committee is to consist of fourteen, or of even or uneven proportions; but I do admit that there is weight in the objection to choosing the Sheriff as Chairman, and I believe that either the foreman of the Grand Jury or the senior member of the Grand Jury would be most useful. The hon. Member said that a great principle had been destroyed when the illiterate voters were not given the privileges of the Ballot Act.

MR. SEXTON: No, I contend that a new electoral test has been imposed.

MR. MACARTNEY: The hon. Member said it was a shabby expedient, and he went on to say that a man who contributes has a right to possess a voice in the expenditure of local taxation. Yes, the whole question at issue is whether the man who is an illiterate voter at the present moment would have any voice whatever. I say he would have no voice, and I make that statement deliberately. I have had a longer experience of elections in Ireland than any hon. Member sitting opposite. Before the hon. Member for West Belfast came into public life at all, I was, in 1873, personating agent, and in 1874 and 1881 I was head polling agent in one of the largest polling districts in South Tyrone. I saw every illiterate voter come there to record his vote. I was there during the triangular election when Mr. Parnell ran a candidate against the recognised Liberal candidate. I do not believe that on that occasion two per cent. who gave their votes as illiterates gave them in the way they desired. They wished to give their votes in favour of Mr. Parnell's candidate, but the local organisation of the National League brought their pressure to bear in support of the Liberal candidate who is now sitting as hon. Member for the City of Dublin. In the minds of anybody who knows anything of the interior of an Irish polling booth, there cannot exist any doubt as to the fact that illiterate voters do not record their votes freely and openly. And if under this Act you allowed the illiterate voter to have the privileges of the Ballot Act he would



still have no voice; his vote would have to be given according to the views of the political organisation which has him in tow. Therefore I say my right hon. Friend is quite right in excluding the illiterate voters from the privileges of the Ballot Act, and in so doing he is securing that the votes given under this Bill will be tendered in accordance with the ideas of the elector. I now come to the question of the police. The police of Ireland have always been on a different footing from the English police. The Irish counties have never contributed to the support of their own police, and the Governing Bodies of Irish counties have never had control of their police, and I should certainly view this Bill with the greatest apprehension if it placed the control of the police in the hands of the County Councils. I should view it with equal apprehension in my own City of Cork. It would be a dangerous matter to introduce into Irish politics, and I am glad that my right hon. Friend has deemed it right not to depart from the principles upon which this Bill was supposed to be framed—namely, that it should be a Bill for the transference to elected Councils in Ireland that business which has been carried on by non-elected bodies—and that he did not adopt the principle of conferring upon these newly-elected bodies powers which would be dangerous to themselves and certainly dangerous to the communities over which they were to have control. I now come to the clause upon which the strongest attack has been made. I allude to the clause which provides for the appeal of twenty cess payers against the action of the County Council, and gives them the remedy before two Judges at law. This clause has been introduced, as the Attorney General stated, for the purpose of providing adequate and efficient protection of the cess payers of Ireland; and I suppose that nobody will deny the presence of ample grounds for the introduction of protective provisions, in the interests of cess payers, against apprehended extravagance or misconduct on the part of the popularly-elected county bodies in Ireland. I think my right hon. Friend was

amply justified in inserting in the Bill a provision of this sort. The Member for the City of Waterford (Mr. John Redmond) has said that it might be argued from our point of view that the clause might be left in the Bill, because if County Councils do not commit acts of oppression and are not guilty of misconduct it would be inoperative. But I go a step further than that, and say that if the County Councils are guilty of acts of oppression and of such misconduct as would bring them within the purview of the clause, it would be equally inoperative. Therefore, while I agree that the authors of this Bill had sufficient justification for introducing a clause to protect the cess payers in Ireland, I myself do not think this clause is a necessity, and I should not be at all sorry to see it disappear from the Bill, and, I believe, a great many hon. Members on this side concur in the views I am now stating. Now, Sir, I have to say one word of disagreement with certain expressions which have fallen from right hon. Gentlemen on this side of the House with regard to this Bill. The Attorney General for Ireland said that in his opinion this is a comparatively unimportant Bill, and remarks of a similar character have been made by the Leader of the House. I do not agree at all with that view. Speaking as an Irishman, and representing cess payers of Ireland, I look upon this as one of the most important Bills the present Government have introduced, and I am delighted that the cess payers will receive from a Unionist Government that which they have long desired to have—complete and unfettered control of the annual expenditure of their counties. I believe this Bill will do as much as any Bill the Government have introduced to create good feeling between the different sections of the Irish people, and I am not so apprehensive as some are that these County Councils or Baronial Sessions will be turned into mere arenas of political discord. The views of the hon. Member for Belfast that the members of the Joint Committee who represent the Grand Juries will be found consistently voting down the representatives of the County Councils are,

in my opinion, incorrect. I believe that in nine cases out of ten the gentlemen who compose these Committees will be experienced men of business, and that whatever their political differences may be, when they meet for county purposes they will impartially deal with the local matters that come before them. In conclusion let me say that I cordially support this Bill, believing it will be productive of the greatest possible good to every class and section of my country.

(4.55.) MR. THOMAS HEALY Wexford, N.): I have to congratulate the hon. Member who has just sat down on the remarkable clearness with which he has dealt with a measure which we believe to be a perfect sham, and which we are aware the Government have not the smallest intention of proceeding with. What they hope to gain by bringing it in is one of those things I am unable to understand. When the Bill was introduced the right hon. Gentleman (Mr. A. J. Balfour) did everything in his power by speech and manner to show that he was performing an uncongenial task. The only explanation I can give for the introduction of this measure is that the near approach of the General Election has stirred the Unionist conscience and has induced them to put pressure on the Government to fulfil one, at least, of the many promises by which they got into power. Well, Sir, I have carefully studied this Bill, and I maintain that every section and every line of it is based on suspicion, dread, and hostility, and is a rooted insult to the Irish people. To my mind it is a curious commentary on the Unionist speeches we have been listening to for the past four or five years. Hon. and right hon. Members opposite have been going about the country telling audiences that under the beneficent influence of the Unionist Government Ireland is now in a state of absolute peace and quiet, that law-abiding citizens are now able to go about their duties without fear of being molested by anybody, and that the people of Ireland are only too anxious to obey the law. If these speeches are true, why is this Bill framed in the manner it is? If the people of Ireland

are simply yearning to obey the law, how is it this Bill is framed to take away from them some of the few privileges they possess at the present time? One clause of it will deprive the Irish people of a right they have enjoyed since the reign of William IV.—the right to deal with cases of malicious injury. Now, we were told about a month ago, in this House, by the Chief Secretary for Ireland that there was now no person in Ireland who was either partially or wholly boycotted. If that is the truth, where is the necessity for introducing this clause, when the very persons it is apparently intended to benefit do not exist? Clause 6 of this Bill not only takes away that right from the Irish people which they have enjoyed for so long, but it provides that they are to have no power dealing with criminal matters in Ireland, and the County Councils to be formed under this Bill will not be allowed to administer the oath. I maintain that Section 6 of this Bill gives the lie to every Unionist speech that has been made during the past six years. The provisions of this Bill have been so completely riddled and blown out of the water by the hon. Member for West Belfast (Mr. Sexton) that I do not intend to go through them in detail, but there is one matter to which I should like to allude. I refer to the remarks of the hon. Gentleman (Mr. Macartney), as to what goes on at Presentment Sessions in Ireland. Now, I have had some experience in connection with these sessions, and I have never seen anything but a fair and impartial hearing given by the men from whom this Bill proposes to take away the right of dealing with cases of malicious injury. Every case that comes before them is decided on its merits. It will not do for any man to come before them and merely say he is boycotted or objectionable to his neighbour; that will not ensure his application being entertained. If I want to look for corruption in the Boards of Ireland, I should not look to these Presentment Sessions, but rather to the immaculate Grand Juries. I have seen over and over again that no case coming before these men is too

*Mr. Macartney*

weak. No matter how flimsy a man's case might be, or how bad his character, if he could get up and swear that he was boycotted, or in any way obnoxious, he was certain to have his application considered favourably, and every penny he might ask for given him. It is not very long ago since the wife of a Grand Jurymen in County Cork got twelve months with hard labour for setting fire to her house. On two or three previous occasions her husband had obtained compensation for the burning down of his premises, and I have not the slightest doubt that if the woman had not been caught at last in the very act, her husband would have again gone before the Grand Jury, and received compensation for the destruction of his property. This is one of the bodies that it is proposed should be allowed to deal with the question of malicious injuries; and the inferior body, which in one case that came under my own knowledge took a view that was subsequently taken by a learned Judge, are not to be trusted. I have no hesitation in voting against this Bill as I should against any Bill which is based on hostility to the Irish people, and which gives to a Judge of Assize the power to disfranchise a county and to place the elected representatives of the people in the dock; and, further than that, allows an unrepresentative and unsympathetic body like that which exists at Dublin Castle to override an election, and place other people in the position of the representatives of the ratepayers. We want a Home Rule Bill, but this is a cross between a Coercion Bill and a Bill for the glorification of Boards of Guardians. One other remark I make with reluctance, and that has reference to the speech of the Member for South Armagh (Mr. Blane). He said—and I was glad to hear him as a patriotic Irishman make the remark—that the Protestant majority had nothing to fear from the oppression of the Catholic majority, and he, for one, would protest with all his power against any such oppression wherever he met with it. The Member for South Belfast (Mr. Johnston) got up in his place and said that when he spoke of the oppression of the Protestant minority he made

no allusion to the section of the Nationalist Party to which my hon. Friend (Mr. Blane) belongs. I suppose, therefore, he pointed at the section to which I belong. A man's nature is best shown by his spontaneous actions. I do not happen to be a large employer of labour, but I employ three men; and it may relieve the mind of the hon. Member for South Belfast to know that, although I am a Catholic, and my family are Catholics, and nineteen-twentieths of my friends are Catholics, yet of those three men two are Protestants. I think that will show hon. Gentlemen opposite that they have as little to fear from the section to which I belong as from the section to which the hon. Member for South Armagh belongs. I am sorry this question was brought up, because I do not believe there is the smallest fear that anybody in Ireland will be persecuted on account of his religion. No Irish Catholic will be any party to persecuting anyone because of a difference of religious opinion; and it was well said by a great Englishman, the late Cardinal Manning, that he had no fear that the Irish Catholics would ever persecute any religious creed, because, he added touchingly, "the children of the martyrs are never persecutors." I can assure hon. Gentlemen that they have nothing to fear from the Irish Catholics; and my constant hope and fervent prayer is that the day may be close at hand when every section of the Irish people will be found sitting side by side in a Parliament in College Green working in harmony for the common good of their country.

\*(5.12.) MR. BARTON (Armagh, Mid): I desire to congratulate the hon. Gentleman who has just sat down (Mr. Thomas Healy) on what I believe was his maiden speech. He dealt with the question from a practical point of view, and I propose to follow his example. He must not suppose that we entertain any fears that he would personally display any intolerance towards his fellow-subjects in Ireland; but if he asks me to go further, and to say that the loyal majority are in no danger of oppression at the hands of the majority, I regret to say that I am unable to

agree with him, and I propose to offer some reasons for my opinion before I sit down. The hon. Gentleman seems to think that this Bill with its safeguards is an insult to Irish sentiment. I think the Bill without its safeguards would have been an insult to British common sense. An hon. Member, yesterday, said that there is something unreal about this Debate. What is the unreality?

An hon. MEMBER: The Bill.

MR. BARTON: No; the Bill is real enough. It is here in substantial form. It is the opposition to the Bill which is unreal. The indignation is feigned; the fury is simulated; the opposition was preconcerted before the Bill was introduced. The provisions of this Bill were prejudged before they were printed. The night before the Bill was introduced the right hon. Member for Derby (Sir W. Harcourt), speaking in the congenial atmosphere of Whitechapel, said of this Bill that it was a sham and a futile measure. The people of Whitechapel were evidently astonished at that statement; and, seeing their astonishment, he proceeded—

“You may say I ought not to judge it before I have seen it; but I have a taste for gardening, and I know you cannot get grapes from thorns or figs from thistles.”

It is plain that the right hon. Gentleman had made up his mind beforehand to oppose this Bill, and I say this Bill has not had a fair hearing or a fair trial in this House. We are told, amongst other things, that the Government ought to have introduced this Bill before; but I will ask hon. Members to carry their minds back ten years, and in 1882, when the Liberals were in power, the Member for Longford placed on the Paper a Motion in these words:—

“That this House regrets that the promises several times made of amendment of the Grand Jury system in Ireland have not been carried out.”

It had been promised by right hon. Gentlemen opposite in the Queen's Speech in 1881, and in 1882 we find the Nationalist Party complaining that the promise had not been acted upon; and now, when this Government attempts to carry out the reform of the Grand Jury system, both sections oppo-

*Mr. Barton*

site unite to defeat their intention. It will be found, if you look at this Bill, that it will be convenient to distinguish between two separate portions of the Bill—the enfranchising portion and the safeguarding portion. It is by an ingenious confusion of these two portions that a plausible case is made on the other side. The enfranchising portion of the Bill follows the lines of the English and Scotch Bills, and can hardly be criticised; but objection is taken to the safeguarding portions. The hon. Member for West Belfast (Mr. Sexton) described ten points in the Bill as ten insults to Ireland. I represent a constituency in which there is a Unionist majority, and where there would be a Unionist majority in a County Council. If these points in the Bill are insults, they must be insults to my supporters. But I find that these insults melt away on examination and on comparison with a very interesting document—a County Government Bill for Ireland, which was brought forward by the Irish Party in 1888. That Bill contained almost all of these ten insults—some of them in a worse shape than in the Bill before the House. What were these ten alleged insults? The first was the withdrawing of a privilege in the case of the illiterate voter which had been abused. How can they call it an insult to withdraw in the case of Ireland a privilege which the House of Commons has lately declared by a large majority should be withdrawn throughout the whole of the United Kingdom? What hon. Gentlemen opposite ask for is not equality, but ascendancy. The second insult is the cumulative vote. In my constituency it is for the protection of the Nationalist minority, and I cannot look upon it as an insult to support a Bill which contains a provision for giving representation to my Nationalist opponents. The next supposed insult to Ireland refers to the fixing of boundaries, which is left to the Lord Lieutenant. It was suggested that they should be dealt with as in England, where it was said that in the cities it is left to the Corporations and in counties to Quarter Sessions. If that suggestion were



adopted in Belfast, it would be left to the Tory Corporation, and in the counties to the Grand Juries, which correspond to English Quarter Sessions, and yet the hon. Member complains that the Lord Lieutenant is selected in the Bill. Whatever the Lord Lieutenant does can be criticised in this House, and he can be held responsible. In the Bill of the hon. Members opposite in 1888, will the House believe, the fixing of the areas of the baronies was to be left to the Lord Lieutenant and the Privy Council, and yet they ask the House to say that the same provision in this Bill is an insult to Ireland. The next alleged insult to Ireland is that Belfast and Dublin are not treated like other cities. The hon. Member in his adroit way pointed out that these cities had not been dealt with specially in the Bill, but he did not point out that by this Bill all the other municipal boroughs have been enfranchised, and instead of a £10 rating franchise, householders have been given the Parliamentary franchise for municipal purposes. He did not refer to that, but he did refer to the fact that, for particular reasons which I can well understand, Belfast and Dublin are not dealt with in this Bill. They have different machinery for municipal and registration purposes, and they are dealt with by different Acts which have recently been passed by this House extending their franchise; and if you were to deal with those cities in the Bill, it would take two or three pages to deal with their special requirements. I can well understand why that should be left to be dealt with afterwards. But I would remind the House that the Bill enfranchises all the other municipal boroughs, and meets the claim they have made for so many years. Under these circumstances, I think I am entitled to say that the treatment of these cities is no insult to Ireland. The next of these insults to Ireland is that the Grand Juries are left in possession of jurisdiction in claims for malicious injuries. The Attorney-General for Ireland (Mr. Madden) admitted that that was a matter on which the Government were willing to meet the views of the House. I venture

to say that the Grand Juries do not wish to keep the settlement of these cases; we all want to find an independent tribunal to settle them. The question did not arise on the English and Scotch Bills. Mrs. Lewis's case is always trotted out when Grand Juries are under discussion. Frauds in cases of this kind may occur before any tribunal. There have been many cases of fraud on Insurance Companies, and there was recently in England a case of conspiracy to defraud Insurance Companies. The Grand Jury system in Ireland, however, guards as carefully as possible the interests of the ratepayers from fraud. The hon. Member who just spoke said there was a case of great injustice before a Grand Jury. But I would point out that that case went before the Judge, who heard it, and decided against the Grand Jury. The Judge removed the grievance, and in such cases always will do so. The hon. Member for Waterford (Mr. J. Redmond) in his article in the *Fortnightly Review* complains that Grand Juries can still file indictments, and the same complaint has been made in this Debate. But the House ought to be informed that the very same provision was in the Nationalist County Council Bill of 1888. The next insult is that the police are not put under the control of the County Council. The hon. Member for Waterford (Mr. J. Redmond) in his article does not suggest that the police should be under the control of the County Councils, and the Nationalist County Government Bill did not suggest it. I am surprised that they should now suggest it after their experience of the last few years. In view of contemporary facts it is idle to suggest that the police should be under the control of the County Councils. The next insult to Ireland is that it is said there is a control vested by the Bill in the Joint Committee over the litigation of the County Councils. I do not know how that is; but I hope it is so. When the Borough Fund Act was passed in the House of Lords, Lord Fitzgerald pointed out the necessity of preventing small Municipalities in Ireland yielding to temptation in the direction of excessive and unnecessary litigation. To illustrate the necessity

of control over litigation I will refer to a case in the Land Judge's Court in Dublin in 1888. The Guardians refused to sue the tenants who were liable for the rates and able to pay them; and they sued the landlord. What did the Judge do? He referred to the facts, and said—

"This was an instance of what might be expected from the Guardians, and what they would do in the same direction if their privileges and powers were extended."

He made a conditional order of attachment against them for contempt of Court. There we have a Board of Guardians actually under judgment for contempt of Court for bringing an action which they had no right to bring under the law. I desire, next, to deal with the objections which have been so strongly urged against the controlling power given to the Joint Committee. I find that all the protests of hon. Gentlemen opposite are only the faint echoes of the protests of the Scottish Members when the Local Government Bill for Scotland was before the House. The hon. Member for Caithness said the Joint Committee was

"An absolute majority composed of the Sheriff of the county and a member of the Commissioners of Supply."

The right hon. Gentleman the Member for the Stirling Burghs (Mr. Campbell-Bannerman) said—

"Why not trust the County Council? Will the Lord Advocate, or any Scotchman sitting beside him say they cannot trust their countrymen in these matters?"

The hon. Member for Aberdeen said the clause was—

"An unfounded imputation on their country."

The right hon. Gentleman the Member for the Bridgeton Division (Sir G. Trevelyan) described it as a "practical insult to the rest of Scotland." I, for one, as an Ulster Member, do not regard as an insult that which was thought good enough for England and Scotland. The hon. Members opposite set up a superior right over Englishmen and Scotchmen. The next alleged insult is with regard to the appointment of officers; and I think this is the weakest of all the objections to the Bill. I venture to

*Mr. Barton*

say that the provision of this Bill with regard to officers gives just as wide powers as are exercised by County Councils in England, and it actually gives wider powers than the Nationalist Bill of 1888. If this is an insult to Irishmen, there was a worse insult in their own Bill in 1888. The Secretary to the County Council in Ireland is to be appointed and removed by the Joint Committee. The Clerk to the Council—the corresponding officer in England—is in precisely the same position. Then, the County Surveyor by this Bill is to be appointed by the County Council, but he cannot be removed without the sanction of the Joint Committee. The County Councils are by this provision to have stronger powers with reference to the County Surveyor than the Grand Jury ever had, for the Lord Lieutenant has the power of appointing and dismissing the County Surveyor at present. I say that the Government would be neglecting their duty if they did not provide this control with regard to the County Surveyor. There is a reported case in which the late Chief Baron Pigott pointed out the importance of safeguarding the power of dismissing the County Surveyor. Why is it of vital importance? Because the County Surveyor has to deal with the contractors; and it is essential that his position should be one of independence. Then this Bill gives the County Councils the appointment of all the other officers without any control. Will the House believe it, that in the Nationalist Bill of 1888, in Section 14, they did not give the County Councils the power of appointing a single officer without the approval of the Local Government Board? How can these provisions be represented as insulting? With reference to the Secretary of the County Council, the powers of the Council are to be the same as in England; with reference to their County Surveyor, their powers are to be greater than those of the Grand Jury; and with regard to the other officers they are given absolute powers, while in their own Bill they proposed that the appointments should be all subjected to the sanction of the Local Government

Board. I regret that there is no control over the making of these appointments, and I shall move in Committee to have a control established in these cases.

An hon. MEMBER: The Bill will never go to Committee.

MR. BARTON: We shall see about that. I shall just give one illustration of the reason which exists for some such control. The elected Guardians of the Ennis Union held a meeting with reference to the appointment of a relieving officer, when a resolution was passed to the following effect:—

“That in every future election to any office under the Board no candidate shall be supported by the Nationalist Guardians unless he be a member of the National League for at least six months previous to the date of the election, and produces his certificate signed by the chairman and secretary of the branch; and further that when selecting a candidate to be put forward for election, the minority of the Nationalist Guardians should be bound to act and vote with the majority present and voting.”

That is the Ennis test. Surely some control ought to be exercisable over such tactics. Then, we come to what has been called the “Put-them-in-the-dock” clause. But why that name? There is not a single feature of criminal law in the clause. There is no dock, no indictment on a criminal charge, no punishment, no fine, no imprisonment. It is not a criminal clause; the nickname is a misnomer. Is it an insult to Ireland that corruption should be dealt with by the Courts? In 1889 this House passed the Public Bodies Corrupt Practices Act, which makes corruption on the part of a member of a Public Body a misdemeanour punishable by two years' imprisonment with hard labour or £500 fine or both. That Act was passed in consequence of some corruption on the part of a Public Body in London; and that is the law of the land. Clause 21 of the Nationalist Local Government Bill made a similar offence punishable by a fine of £100, recoverable by one ratepayer. That is more worthy of the name of a “Put-them-in-the-dock” clause. I was surprised to hear an hon. Member opposite say that he could not see the analogy of an Election

Petition, because an Election Petition could only set aside an election, while this Bill proposes that the Lord Lieutenant should nominate a new Council. But an Election Petition can not only set aside an election, but it can seat a new Member, and the very Member who was rejected by the constituency. Is it the power of removal which is an insult? That power has been in force in Ireland for something like forty years. The Poor Law Guardians are capable of being removed by the Local Government Board; and that power has been frequently exercised in Ireland during the last ten or eleven years, and it has not been suggested that the power of removal was a special insult to Ireland. Hon. Members opposite proposed in their own County Government Bill that the District Councils should be removable by the Local Government Board. I will go further. When the Cork Board of Guardians was suspended I read an article in the *Pall Mall Gazette* which contained this sentence:—

“We express our satisfaction with the action taken by the Local Government Board in Ireland in suspending the Cork Board of Guardians.”

If it is the law of the land that the members of Public Bodies may be made amenable to the law for corruption, I do not think it can be said that this clause goes too far in including malversation and oppression. What is malversation and oppression? I will give four instances of malversation. In 1884, during one of the Coercion Acts of the hon. Members opposite, the Roscommon Board of Guardians gave outdoor relief of £1 a week to the families of the suspects. The nominal relief rate at the time was 1s. 6d. to 3s. At the time they received this pay most of families were in possession of horses, sheep and cattle, as well as land. This was stopped, however, by a sealed Order from the Local Government Board. What was the second example of malversation? When the right hon. Gentleman the Member for Newcastle (Mr. J. Morley), in 1886, was Chief Secretary for Ireland he obtained from Parliament £20,000 for the relief of certain Unions in the West of Ireland. In six weeks the number

of people in receipt of out-door relief rose from one thousand to one hundred thousand, and £36,000 was spent on the security of the £20,000. Men with large herds of cattle and sheep were relieved; a gombeen money-lender was relieved; a contractor to the Board was relieved; a farmer holding over one thousand acres of land was treated as a pauper, and in some districts there were more persons on the relief list than were living in the district. If that is not malversation of public money, I do not know what is; and if hon. Members opposite suggest that the place in which that occurred within the last five or six years is fit to be trusted with Local Government powers without some control, I do not fancy that it is the opinion of the general body of Members. When the Seed Supply Act was passed, men who had been absent ten or twelve years in America, and were not in Ireland at all, were returned as having been supplied with seed; others who had been dead many years, and women who did not own, and who had never owned land were also on the list. I will give one more example of malversation—I think it is the worst—which approaches to oppression. Boards of Guardians, under the power of the Local Government Board, were dissolved for applying the funds of the ratepayers to illegal objects such as the relief of Plan of Campaign tenants.

MR. WILLIAM O'BRIEN (Cork Co., N.E.): Will the hon. and learned Gentleman mention to us any one case in which a victim of the Plan of Campaign has received out-door relief from any Union in Ireland, because I declare to this House that it is an absolute misstatement.

\*MR. BARTON: I would greatly like to hear the hon. Member upon this subject. These four examples of malversation justify the provision of the Bill dealing with malversation. Now I come to deal with "oppression." I believe there is danger of oppression. Is there in the South and West of Ireland a spirit prevalent which tends to beget oppression? I am glad to see that the right hon. Gentleman the

*Mr. Barton*

Member for Bridgeton is present. On the 30th June, 1886, the right hon. Member said—

"Nothing but the fact that the police and Resident Magistrates were in the hands of a strong Central Government preserved certain districts in the South and West of Ireland from wholesale massacre."

I wish to ask the right hon. Gentleman what has happened since 1886 to alter that opinion? But some may say that, although this spirit of oppression exists, it never has been shown in the operations of any Board of Guardians. I will give a clear example to prove that this spirit has been manifested during the last two or three years by a Board of Guardians. In September, 1890, the Tipperary Board of Guardians unanimously passed a resolution expressing unqualified approval of boycotting and the Plan of Campaign, which was quite a usual proceeding, and the Guardian who proposed the resolution, in describing these two things said:—

"They were poor weapons in place of what Tipperary held in past times, when we met the tyrants at Ballycoby and Ballydavid, and at Tipperary here in the hotel."

What happened at these three places? At Ballycoby two bailiffs and a constable were killed, and a landlord and two constables were wounded. At Ballydavid in 1870 Mr. Cole Baker, a landlord, was shot while taking his morning walk, and at the Tipperary hotel Mr. Bredall, while collecting his rents, was shot, and died afterwards.

MR. WILLIAM O'BRIEN: We will save you the reiteration of all that.

\*MR. BARTON: I am glad to hear the hon. Member interrupt, for he must do one of two things. He must either deny these things or defend them. All I ask him as a Member of this House and a Representative of Ireland to answer is, whether, if such things exist, this House is justified in passing a Local Government Bill without strict and strenuous safeguards? The right hon. Member for Bridgeton was right in 1886, and I regret to say that in the South and West of Ireland there still remains the spirit of those days. Then I ask this further question: Have there been cases of oppression with re-



gard to Boards of Guardians? What do Poor Law Guardians do under the Labourers Act? That was an Act which gave the Board of Guardians power to erect labourers' cottages upon land and to take land for the purpose. Luckily for the unfortunate owners of land and farmers, there was provided an appeal to the Privy Council. There were 227 appeals, of which 196 were successful. The grounds of these successful appeals were that the selection of the land was vexatious, not *bonâ fide*, for purposes of annoyance, punishment, or revenge. Cottages were put on the land of boycotted men and landgrabbers, and other unpopular persons. Will hon. Members justify Boards of Guardians in so selecting lands, or disapprove the Privy Council for preventing them doing so? And will they disapprove this Bill for trying to put some check on practices of this kind? Let me give a case, that of Mrs. Bolton—I believe a relative of Mr. Bolton, whose name has often been attacked by hon. Members opposite. Five cottages were proposed to be put upon one farm of forty acres, on which there were already two cottages. Would the House be surprised that the Privy Council upset that scheme? Then would the Government be discharging its duty if it did not deal with such a subject as this? The only fault I have to find is, I would like to see a more effective provision to deal with it. A word more about this oppression. We are told that it is a new crime. I challenge any lawyer in the House—I see the hon. Member for East Fife (Mr. Asquith) in his place—to say it is a new crime. It is a crime as old as the law of this land. You can find precedents of indictments for oppression in Chitty's Criminal Law. In the State trials you will find a Chief Justice impeached for oppression in this House. You will find a definition of it in every law book from *Blackstone* down to *Stephen's Digest of the Criminal Law*. If you apply it to this particular form of oppression you can define it thus:—"A public officer under colour of his public office doing injury to another from an improper motive, which may be inferred from the nature of the act

or the circumstances of the case." It has been urged that we ought to trust the Irish people, but right hon. Gentlemen opposite only trust them when it is a question of the abandonment of the rights and the liberties of Irish Loyalists. We have been taunted that the Government came into power on a policy of no coercion; but now hon. Gentlemen opposite are approaching the General Election with a cry for the coercion of Ulster. In this Bill I am supporting safeguards which will protect my opponents and not my supporters in my constituency. How, then, can it be said that Ulster men want ascendancy. What they want is to remove ascendancy, and to live with equal laws under an Imperial Parliament. The hon. Member for Waterford wrote in his recent article that the Grand Jury system is the last remnant of the old power and ascendancy of the landlord class. Well, we are asking hon. Gentlemen opposite to remove it. It is they who wish to keep up that ascendancy in order that they may have an excuse for Home Rule. The alternative which they would set up to this Bill and to the whole policy of the Unionist Party is by establishing Home Rule to set up in Ireland a permanent ascendancy, so cruel and tyrannous that no British subject has ever yet consented to endure it.

(6.9.) MR. BRYCE (Aberdeen, S.): I quite agree with one remark of the hon. Member who has just sat down that there is a great deal of unreality in this Debate. Even the warmth of the hon. Member has failed to impart any reality into it. Yet I think that neither the Bill nor the Debate will be altogether useless, because in the Bill there is a declaration of policy by Her Majesty's Government, and its real importance consists in this—that it is a statement of the view they take of the remedial measures which they would like to apply to Ireland. I have a great deal of doubt as to the policy of the Government in some respects. We do not know whether bi-metallism is part of their policy, but we have reason to believe that Protection is, judging by the

speech of the Prime Minister the other day. As regards Ireland, however, there is no doubt that their policy, which began with coercion in 1886, is to receive its crown and confirmation in this Local Government Bill of 1892. Therefore, we ought not to confine ourselves to minute details of the Bill, but to take it in its wide sense and ask ourselves whether it holds out any prospect that, if passed, it would do good to Ireland. There are five tests which may be applied to a measure of this kind. In the first place, to be successful the Bill ought to be similar in its provisions to those which have been passed for England and Scotland. In the next place, it ought to be a Bill which would satisfy Ireland; in the third place, it ought to tend to pacify Ireland; in the fourth place, it should cause the Local Authority to work in harmony with the Central Authority; and fifthly, it should, if possible, be so framed as to teach the Irish people the mode of self-government, and to fit them for exercising such powers as may be conferred upon them by any larger measure of self-government that Parliament may think fit to pass. Now, I do not think that the tests I propose are unfair ones. Take the first test. No one will deny that this measure is entirely dissimilar to the Acts that have been passed for the Local Government of England and Scotland. There are six points of difference between this measure and the English and Scotch Acts. In the first place, the Joint Committee that is proposed by this Bill, and which would have the effect of checking the Irish County Councils, has no place in the English and Scotch Acts. In the second place, the Sheriff who is to be appointed the Chairman under this Bill will be a totally different person from the English Chairman or the Scotch Sheriff. Then there is the question of the control of the police, which in England and Scotland is left in the hands of the Local Authority, but which is dealt with on an entirely different principle in this measure. There is, again, nothing like the cumulative voting in this Bill to be found in the English and Scotch Acts. The illiterate voter is also dealt with upon an entirely

*Mr. Bryce*

different principle in this Bill from the others. The sixth point of difference is the power which this Bill proposes to give to remove members of the County Council, and which is not to be found in the English and Scotch Acts. The existence of these important differences between this measure and the English and Scotch Acts prevents the Bill from being in the least degree a fulfilment of the pledge which has been given by the Government that the legislation on this subject should be on the same lines for the three Kingdoms. The hon. and learned Gentleman the Attorney-General for Ireland has said that the object of the Government is to legislate for each part of the United Kingdom by means of measures adapted to each of the three countries. That is an elastic phrase, and will cover every Coercion Act that has ever been passed. Therefore, as far as equal legislation for the three countries is concerned, this Bill has not advanced a single step in the right direction. Then I ask whether it can be satisfactory to the Irish people. A sufficient answer to that question was given on the night of the First Reading of the Bill, when, out of 101 Irish Members, only fifteen went into the Division Lobby in support of it. As the Irish Members have, therefore, rejected it, I would point out to the House the absurdity of forcing the Bill upon them. The Irish Members say:—"We prefer to go on with our Grand Juries rather than have this machinery imposed upon us, which we think will work worse—it will gall and annoy us." In that respect how unlike the position we in Scotland took when English and Scotch Local Government Bills were brought in! We did not regard them as perfect, but we endeavoured to amend them; and I think I may say with safety that there was a general desire in the House to take them as the basis of the system, and to put forward honest and sincere endeavours to make the very best of them so that they would work well for the country. Can it be supposed that anything of the kind will happen in this case? And the absurdity goes further. In the case of the English Bill we had a profitable discussion, because we knew what we were talking about. A

large number of English Members had practical experience of the working of English County Government, and the rest of us knew the outline of it. In the case of Scotland, the discussion was similarly profitable. What would be the case if we were sure of getting into Committee on this Bill? The Irish members would no doubt know a good deal about it; but the Irish Members would be outvoted. They would conduct the discussions in the House, which would present very much the same appearance as at present. The Treasury Bench would be occupied by the Chief Secretary and the Attorney General, who would give more or less perfunctory answers to the objections of the Irish Members. The Division bell would ring, and the English majority would vote down the Irish Members without even having heard their arguments and the answers given. We know perfectly well from past experience how Irish matters are dealt with. We English and Scotch Members are not in a position to help Irish Members, because we are ignorant of the facts. How many English and Scotch Members can explain what is the incidence and function of baronial cess? This Bill requires interpretation and explanation on the part of somebody who understands Local Government in Ireland to enable us to properly value its effects. Therefore, I say that the Irish Members are in a worse position than even the Scotch Members were, because they could appeal to and count on a certain amount of knowledge on the part of Englishmen which does not exist in this case. The fact is, that what we shall have will be a repetition of the old duel between Dublin Castle and the Representatives of the Irish nation. The latter will be over-ruled, and those whose cause will prevail are those who do not know anything of the facts. We might almost as well give a commission to the Government to employ the assistance of the Lord Lieutenant of Ireland for all the effect which the opinions and views of Irish Members are likely to have. We might as well assent to the Local Government of Ireland being controlled by a code of rules to be drawn up by the Lord

Lieutenant without the intervention of Parliament at all. If that does not strike the House as absurd, I am afraid that no words will make it appear absurd; and the only fact that prevents it from being so ridiculous is that we have done it so often before. And here I am obliged to fall back on the dictum of the First Lord of the Treasury when he brought in this Bill, and to say that not only is the particular section to which he referred, but that the Bill as a whole, is an instance of the tendency of Legislative Bodies to do a stupid thing only because it has been done before. Then I come to ask whether the Bill will tend to pacify Ireland? We have all been accustomed to agree that the difficulty in Ireland is largely of a social order, arising from the alienation of the people from the law, from suspicion and distrust felt towards the agents of the law, and felt particularly towards the Central Authorities of the Government. Will this Bill tend to remove these evils? So far as I can follow it, it will tend to accentuate and exasperate them. And I can tell you why: It will divide every Local Body into hostile parts. We shall have the representatives of the people looking upon the County Council as their authority, and the County Council anxious to pose on every occasion as the representatives of the majority of the people. We shall have, on the other hand, the representatives of the Grand Jury on the Joint Committee resisting what the County Council proposes, regarding themselves as called upon to resist, and receiving their functions as a sort of fortress or entrenchment from which the landlord class can defend itself. And I apprehend the facts that the two bodies are not left to face each other in equal proportions, and that the Sheriff is forced upon them as a Chairman, are indications of the intention of the Government to let the scales incline in favour of the landlord class and in favour of the non-representative body. Then I pass over the other safeguards and come to the question of the Judges trying the County Councils, as I view this as the most important. Surely, remembering

the past history of Ireland, there is no body of persons in that country whose position it is more desirable to safeguard and to remove from suspicion of political partisanship than the Irish Judges. The House knows there have been some instances in which the Irish Judges have shown political partisanship. I have no doubt everyone will remember the case of Chief Justice May and the charge which he delivered in the beginning of 1880, or the end of 1879, and which was of so strong a partisan nature that public opinion, even in Dublin, insisted upon his withdrawal from further conduct of the case. However much Judges desire to avoid imputation of this kind, it is one to which they are often exposed, and therefore the Government ought to take every means of removing them from suspicion. Can anyone imagine a cause more likely to renew that suspicion and to aggravate the distrust felt towards the administrators of the law than their introduction into political cases of this kind? The Attorney General made an ingenious comparison between the trial of the County Councils and the trial of Election Petitions by the Judges, and the hon. Member for Mid Armagh (Mr. Barton) recurred to that analogy with a view of defending the proposals. But there are several large distinctions. In the first place, an Election Petition is a trial between parties, between diverse opinions, and therefore it is in the nature of an ordinary civil suit. In the next place, it is to be tried upon definite law. Our election law is now well set; we know what the law is, and therefore the Judges have a definite base on which to go. They are not left merely to their own discretion in creating law for themselves, because the law in regard to one case immediately becomes applicable to another, and to both Political Parties. But in this case we have a law which is evidently to be applied to one class—the County Councils, the representatives of the people, and in favour of those who allege malversation or oppression. Why is this? Here I fall back upon the instances which were given by the hon. Member for Mid Armagh to show

*Mr. Bryce*

what he considered cases of malversation and oppression. I ask whether his cases of malversation and oppression were not rather cases of political partisanship. Every one of the cases which the hon. Member cited was a case in which a Political Party was involved; they were not cases in which people had tried to enrich themselves—not cases of corruption like the cases alleged against the officers of the Metropolitan Board of Works. They were only political disputes, in which a Local Body was charged with using its Local Authority in order to take sides in a political contention. These, however, are not cases to which the ordinary law is to be applied, but are cases of a purely political nature, in which the Judges will generally become involved as political partisans. The hon. Member for Mid Armagh gave another illustration with regard to corruption. He said that was already punishable by law. Why, then, is it not left to the law? Why introduce provisions into the law of Ireland which do not exist in the law of England if you have in the latter law a provision which is employed to cover the case of Ireland? Hon. Members have complained that we have talked of this as if it were a criminal prosecution, but it will be remembered that when the First Lord of the Treasury introduced the Bill he spoke of County Councils being “found guilty,” and whether it was intended or not, this marked the animus of the intention with which the provision was inserted. Now I come to the question, “What is oppression?” The hon. Member for Mid. Armagh has endeavoured to deal with that. He has told us the effect of the law, but the instances he gave did not seem to me to have much relevance to the proceedings of a County Council. The House will have observed that the hon. Member implied some criminal act done, some bodily harm inflicted.

MR. BARTON: I said that an act of oppression meant injury done. I admit that in the majority of cases it was bodily harm.

MR. BRYCE: Well, I should have liked to have heard other instances. I am bound to say that there was



nothing in the cases cited, and I heard nothing in the Debate on the First Reading tending to throw light on the vague and general term "oppression," though much has been said about safeguards against the possible action of Local Bodies in Ireland. The cases which would probably arise in Ireland would be those in which some political issue would be involved, some Party difference arising, attempts at boycotting or favourable contracts given for political reasons, or someone chosen for an appointment because he belonged to a particular political Party, or the use of the power of the Council in one instance and not in another to the advantage of one person and disadvantage of another. So far as I can see, and looking at what happens, they are cases of this kind which are contemplated as within the purview of the Bill, and it appears to me that the words in the Bill leave open the widest possible margin to the Judges to act according to their discretion—permitting, in fact, a Judge to take a political view in the creation of a new class of offences, and to enforce the law against those offences. I cannot conceive a more odious, a more dangerous duty to impose upon a Judge, and I earnestly hope that the Judges themselves will refuse to undertake such duty. In any case, I think it is a part of the Bill which we are bound to resist to the last. Now I come to my fourth question, "What are the relations which will be established between the Central Authority and the Local Authorities?" It has been asked, "Is there any friction in the relations in Scotland under the Local Government Act?" No, there is not, because in Scotland we have not got that severance of classes which unhappily exists in Ireland; there is no animosity between classes. There are men on the County Councils in Scotland belonging to both the landlord and occupying classes, and there is no disposition to oppose anyone because he does not belong to a particular Party. But is that so in Ireland? Will not Party animosities be strengthened

by the Bill? The whole tenour of the speech of the hon. Member for Mid Armagh shows how different is the condition of things in Ireland, and his whole argument was to show the necessity of safeguards to protect one class from the attacks of the other. That is why we feel the danger of the conflict between the Local and the Central Authority under this Bill. It is well known in Ireland—it is a tradition—that the Central Authority sympathises with the class from which it springs, and supports that class—the landlord class—represented by the Grand Juries. Therefore County Councils will not expect to have justice from the Central Authority in Dublin; they will not look to this as an impartial authority in the sense that we in Scotland look to our Central Authority as impartial between two sections or parties. It is, unfortunately, the fact that in Ireland the division of classes is such that the one is suspicious of the other, and this constitutes the great difficulty of local administration in Ireland, for actions naturally take a tinge of colour from these local circumstances. ("Hear, hear!") The Chief Secretary cheers that statement, and I am reminded of the speech of the hon. Member for Mid Armagh, who carried his argument in favour of safeguards so far as to show that if these were so much wanted then you ought not to have this Bill at all. The way in which I would like to put it is this. I believe that to have this Bill without popular representation on the Central Authority with a strength that can only come from the will of the people will be to aggravate the conflict of classes in Ireland, will make government from a Central Authority more difficult, and provoke more dissension than there has existed in the past. The conclusion I draw is this: in forming a scheme of Local Government we should form a Central Authority also, a Central Body strong and trusted by the people to exercise that control which Local Bodies no doubt do sometimes require. We do not deny that control is required. I might take an illustration from the United States and show that in every State of the Union a great many safeguards are imposed upon the Local Authority. They are

imposed by the people of the State with the desire to mark out precisely the path for their own Local Authority, and to subject them to the general law. They can trust the application of the general law when the action of their Local Authority has to be controlled. So will it be in Ireland when there is a strong Central Authority in which the people have confidence. I will not dwell on the last of the points I intended to refer to that the Bill will not in any way promote the fitness of the people of Ireland for self-government. A scheme of Local Government like this, "cribbed, cabined, and confined," will afford the people no training, no teaching towards that self-government they desire, for the Local Bodies, in the exercise of the circumscribed powers allotted to them, will be threatened on every side with the power of appeal against them to control and dissolve them. If they exercise the powers which are left to them they will have the temptation held out to them to take rash and ill-considered steps, knowing that these steps can be checked and stopped, knowing that they have comparatively little responsibility for their own actions. Responsibility should accompany power; it is a safeguard to power, and when you narrow power and destroy responsibility you can have no efficient self-government. I agree with the First Lord of the Treasury that the Bill has little value. I am not surprised that he has put it lower in importance than the Land Purchase scheme, though, judging from the state of things in Ulster, that Act needs much amendment if it is to have any great result. Who is this Bill intended to please? I do not think it very much pleases the loyal minority, though one or two Members of that Party have screwed themselves up to the point of giving the Bill a qualified approval. We know it does not please the bulk of the Tory Party, if we may judge from what passed at the Birmingham meeting of Conservative Associations. I do not suppose it gives much pleasure to Members on this side of the House who retain the name of Liberals and are opposed to Home Rule, for they can hardly think it is a

*Mr. Bryce*

satisfactory redemption of the pledges they have given that Ireland shall have equality of treatment to England. A Bill like this "keeps the word of promise to the ear and breaks it to the hope." The Bill reminds me of the proposals for Constitutional Government for Japan, full of declarations of popular rights and recognition of the principle of representative government, with the right of elected representatives to pass legislation and vote supplies, and then at the end a clause giving to the Mikado the right in urgent cases, he being sole judge of urgency, to supersede the action of the Legislature, make his own laws, and raise his own supplies. As I look at the Bill I recall the sentiment in regard to the revolutionary Government of France, "*Plus ça change, plus c'est la même chose.*" The more Bills you pass against the wishes of the people, the more appears the folly of the mistaken policy. It is time, after all our experience, that we should see this. This Bill, if passed, will only add one more to a long list of measures forced upon reluctant Ireland by an English Government, sometimes in honest ignorance, sometimes in conscious craft and insincerity; and if ever this Bill comes into operation, it will supply another proof that the only reform that will ever succeed in Ireland and bear the fruit of success in the peace and contentment of Ireland will be a reform enacted by Irishmen themselves for the better government of their own country.

(6.48.) Motion made, and Question proposed, "That the Debate be now adjourned."—(*Mr. William O'Brien.*)

Motion agreed to.

Debate further adjourned till Monday next.

#### EDUCATION (SCOTLAND) LAW AMENDMENT BILL—(No. 261.)

##### SECOND READING.

Order for Second Reading read.

MR. CRAWFORD (Lanark, N.E.): I do not think there is any objection to the Second Reading of this Bill, which merely applies to Scotland the provisions of the Day Industrial Act of England.

THE LORD ADVOCATE (Sir C. J. PEARSON, Edinburgh and St. Andrews Universities): The Bill deals with a matter which comes under the cognizance of the Home Office, and as I think has already been explained, the Secretary of State has under his consideration a measure which includes the proposals to be found in this Bill. Pending the introduction of that Bill I understood the Second Reading of this was to be indefinitely postponed.

MR. CRAWFORD: Not at all.

THE UNDER SECRETARY OF STATE FOR THE HOME DEPARTMENT (Mr. STUART WORTLEY, Sheffield, Hallam): I hope the hon. Member will postpone the Bill for a few days. The Bill my right hon. Friend hopes to introduce is in an advanced stage of preparation.

Second Reading deferred till Friday next, at Two of the clock.

PUBLIC HEALTH ACTS AMENDMENT BILL.—(No. 224.)

COMMITTEE.

Considered in Committee.  
(In the Committee.)

Clause 1.

Motion made, and Question proposed,  
"That the Chairman do report Progress, and ask leave to sit again.—  
(Mr. Tanner.)

F. S. POWELL (Wigan): I hope the hon. Member will allow the Committee to proceed.

BRUNNER (Cheshire, North): I join in the appeal, having my vote on the back of what I believe to be an excellent Bill.

TANNER (Cork Co., Mid): There is plenty of time to deal with the Bill, and no necessity now to rush through in a few minutes.

A. ROLLIT (Islington, S.): I think there is general agreement in favour of the Bill.

COL. IV. [FOURTH SERIES.]

MR. F. S. POWELL: The hon. Member must know as a Member of the Police and Sanitary Regulations Committee that what this Bill proposes has been approved over and over again by that Committee, and this is to embody it in the general law.

DR. TANNER: It is precisely from being a Member of that Committee I recognise the importance of dealing with such a matter as this deliberately.

Motion agreed to.

Committee report Progress; to sit again upon Monday next.

ALLOTMENTS PROVISIONAL ORDER BILL.—(No. 303.)

Read the third time, and passed.

LAND DRAINAGE PROVISIONAL ORDER (MORTON FEN) BILL.—(No. 314.)

Read the third time, and passed.

LOCAL GOVERNMENT PROVISIONAL ORDERS BILL.—(No. 266.)

Read the third time, and passed.

LOCAL GOVERNMENT PROVISIONAL ORDERS (No. 3) BILL.—(No. 233.)

Read the third time, and passed.

LOCAL GOVERNMENT PROVISIONAL ORDERS (No. 4) BILL.—(No. 305.)

Read the third time, and passed.

LOCAL GOVERNMENT PROVISIONAL ORDERS (No. 5) BILL.—(No. 306.)

Read the third time, and passed.

METROPOLITAN POLICE PROVISIONAL ORDER BILL.—(No. 274.)

Read the third time, and passed.

GAS PROVISIONAL ORDERS BILL. (No. 295.)

As amended, considered; to be read the third time upon Monday next.

LOCAL GOVERNMENT PROVISIONAL ORDERS (No. 2) BILL.—(No. 267.)

As amended, considered; to be read the third time upon Monday next.

**PIER AND HARBOUR PROVISIONAL ORDERS (No. 2) BILL.—(No. 304.)**

As amended, considered; to be read the third time upon Monday next.

**LOCAL GOVERNMENT (IRELAND) PROVISIONAL ORDER (No. 3) BILL.—(No. 299.)**

Read a second time, and committed.

**LOCAL GOVERNMENT PROVISIONAL ORDERS (No. 6) BILL.—(No. 307.)**

Reported, without Amendment [Provisional Orders confirmed]; to be read the third time upon Monday next.

**CUSTOMS AND INLAND REVENUE BILL.**

Considered in Committee.  
(In the Committee.)

Clause 1.

Committee report Progress; to sit again upon Monday next.

**MERCHANT SHIPPING ACTS AMENDMENT [REMUNERATION].**

Resolution [19th May] reported, and agreed to

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**PROVISIONAL ORDER BILLS.**

(No Standing Order Applicable).

Mr. SPEAKER laid upon the Table Report from one of the Examiners of Petitions for Private Bills, That, in the case of the following Bill, referred on the First Reading thereof, no Standing Order is applicable—namely, Public Health (Scotland) Provisional Order (Bathgate Water) Bill.

Ordered, That the Bill be read a second time upon Monday next.

**MOTIONS.**

**POLICE AND SANITARY REGULATIONS BILLS.**

Ordered, That the Committee of Selection do add Two Members to the Select Committee on Police and Sanitary Regulations Bills; that, from time to time, they do divide the Committee, so augmented, into two Committees, and apportion the Bills committed to the original Committee and not already disposed of between the two Committees, each of which shall have the full powers of and be subject to the orders and instructions in force in the case of the undivided Committee.

Ordered, That Three be the quorum of each Committee.—(Mr. Stuart Wortley.)

**SELECTION (STANDING COMMITTEES).**

Sir JOHN MOWBRAY reported from the Committee of Selection; That they had discharged Mr. Hobhouse from the Standing Committee on Law, and Courts of Justice, and Legal Procedure, and had appointed in substitution: Viscount Baring.

Ordered, That the Report do lie upon the Table.

**PRIVATE BILLS.**

(Standing Order 62 complied with).  
Mr. SPEAKER laid upon the Table Report from one of the Examiners of Petitions for Private Bills, That, in the case of the following Bill, referred on the First Reading thereof, Standing Order No. 62 has been complied with—namely, Garve and Ullapool Railway Bill.

Ordered, That the Bill be read a second time.

**WINDSOR BILL.**

NAVAL KNIGHTS OF WINDSOR. Petitions  
Ordered, That the Committee of Selection do add Two Members to the Select Committee on Police and Sanitary Regulations Bills; that, from time to time, they do divide the Committee, so augmented, into two Committees, and apportion the Bills committed to the original Committee and not already disposed of between the two Committees, each of which shall have the full powers of and be subject to the orders and instructions in force in the case of the undivided Committee.

**SHOP HOURS BILL.**

Ordered, That Mr. Fenwick be added to the Committee on the Shop Hours Bill.  
Ordered, That Mr. John Morley be added to the Committee on the Shop Hours Bill.—(Mr. Morley.)

**EVENING SESSION.**

Notice taken, that forty Members not being present; House adjourned.

House adjourned.



# HOUSE OF LORDS,

Monday, 23rd May, 1892.

## SALE OF GOODS BILL [H.L.]

Read 3<sup>a</sup> (according to order); amendments made; Bill passed, and sent to the Commons.

## COMPANIES (CERTIFICATE OF INCORPORATION) BILL [H.L.]

House in Committee (according to order); Bill reported without amendment; and re-committed to the Standing Committee.

## ROADS AND BRIDGES (SCOTLAND) ACTS AMENDMENT BILL [H.L.]

Commons amendments considered (according to order), and agreed to.

## ENDOWED CHARITIES (COUNTY OF NORTHAMPTON).

Ordered, "That there be laid before this House such part of the General Digest of Endowed Charities for the counties and cities mentioned in the Fourteenth Report of the Charity Commissioners as relates to the county of Northampton, and Digest of Endowed Charities in the county of Northampton, the particulars of which are recorded in the books of the Charity Commissioners for England and Wales, but are not recorded in the General Digest of Endowed Charities in that county, 1870-72."—(*The Earl Spencer.*)

## DUBLIN BARRACKS IMPROVEMENT BILL.

House in Committee (according to order); Bill reported without amendment; and re-committed to the Standing Committee.

## COMMITTEE OF SELECTION FOR STANDING COMMITTEES.

Report from, That the Committee have added the Lord Wemyss (*E. Wemyss*) to the Standing Committee for the consideration of the Water Companies (Regulation of Powers) Bill [H.L.].

Read and ordered to lie on the Table.

## SITTINGS OF THE HOUSE.

THE EARL OF KIMBERLEY: My Lords, perhaps the noble Marquess could tell your Lordships when he proposes that the House should adjourn for the Whitsun holidays, and for how long?

VOL. IV. [FOURTH SERIES.]

THE PRIME MINISTER AND SECRETARY OF STATE FOR FOREIGN AFFAIRS (The Marquess of SALISBURY): I have been anxious to ascertain what would be most convenient for Private Business, which is the more deeply concerned, and I think that if we adjourn on the Thursday before Whitsunday and meet again on the Monday week that would suit the convenience of business.

House adjourned at a quarter before Five o'clock.

# HOUSE OF COMMONS,

Monday, 23rd May, 1892.

## MESSAGE FROM THE LORDS.

That they have agreed to—Railway Rates and Charges Provisional Order [Abbotsbury, &c.] Bill; Railway Rates and Charges Provisional Order [Midland and South Western Junction, &c.] Bill; Railway Rates and Charges Provisional Order [Taff Vale, &c.] Bill; Railway Rates and Charges Provisional Order [Athenry and Ennis Junction, &c.] Bill; Railway Rates and Charges Provisional Order [East London, &c.] Bill, with Amendments.

## QUESTIONS.

### LONDON COUNTY COUNCIL (TRAMWAYS) BILL.

MR. HENNIKER HEATON (Canterbury): I beg to call your attention, Sir, to the fact that the London County Council (Tramways) Bill was just now read a third time, notwithstanding the fact that there appear five notices of opposition on the Notice Paper against the Motion for Third Reading.

\*MR. SPEAKER; The Order was called in the usual way, and no hon. Member raised any opposition to the Motion for Third Reading. The hon. Member was himself standing at the Bar when the Order was called, but no objection reached me. It is not in my power now to go back upon the decision of the House.

# INTER-COMMUNICATION BETWEEN THE ARMY AND NAVY.

SIR J. COLOMB (Tower Hamlets, Bow, &c.): I beg to ask the Financial Secretary to the War Office whether his attention has been called to a paragraph in the Report of Lord Hartington's Commission to the following effect, namely—

"There does not appear to exist sufficient provision by either Service for the wants of the other: little or no attempt has ever been made to establish settled and regular inter-communication or relations between the Services; no combined plan of operations for the defence of the Empire in any given contingency has ever been worked out or decided upon";

and to the statement of Mr. R. H. Knox, Accountant General of the Army, to Lord Wantage's Committee in December last, namely—

"The provision of expeditionary battalions to be sent abroad in the case of a small war was a point that was not worked out by Lord Cardwell's Committee, and no plan that I know of has been worked out by any Committee or by the War Office with a view of meeting that emergency";

and whether the facts are as stated; and, if so, whether the War Office has taken any steps since last December to organise the Army to discharge those duties which either a great or small war would render necessary?

THE FINANCIAL SECRETARY, WAR OFFICE (Mr. BRODRICK, Surrey, Guildford): It has been arranged that, as soon as my right hon. Friend the Secretary of State for War is able to be in his place, there shall be a discussion on the subject involved in the Report of the Committee over which Lord Wantage presided. Those subjects include, to a great extent, the points raised in my hon. and gallant Friend's question; and I think it will be best if he would raise them in the course of the discussion.

# STEAM TRAWLING IN IRISH WATERS.

MR. JOHNSTON (Belfast, S.): I beg to ask the Attorney General for Ireland if he is aware that three steam trawlers are working in Magilligan Bay, near Portrush, within the proscribed limit; and whether, in the interests of the local fishermen, he will take steps to enforce the law, and, if possible, have the limit extended?

THE ATTORNEY GENERAL FOR IRELAND (Mr. MADDEN, Dublin University): Under a bye-law made by the Inspectors of Irish Fisheries on 5th, August, 1890, after full consideration of the evidence taken at a local inquiry into the matter, steam trawling was declared illegal inside a line drawn from Ramore Head to Warren Point. It is the case that steam trawlers have frequently been at work within the prohibited limit. The matter has engaged the attention of the Inspectors of Irish Fisheries and the proceedings necessary for the enforcement of the bye-law are now under consideration.

# LIGHTHOUSE BOAT ATTENDANCE.

MR. DONAL SULLIVAN (Westmeath, S.) (for Mr. ARTHUR O'CONNOR, Donegal, E.): I beg to ask the President of the Board of Trade if he is in a position to lay upon the Table a copy of the contract between the Commissioners of Irish Lights and Charles Geoffrey O'Connell, of Portmagee, County Kerry, for attendance on the Bull Rock Lighthouse; whether the Commissioners determined the contract in September last; and, if so, would he state on what grounds; and what was the amount paid to Mr. O'Connell in respect of his services under the contract?

\*THE PRESIDENT OF THE BOARD OF TRADE (Sir M. HICKS BEACH, Bristol, W.): The contract between the Commissioners of Irish Lights and C. G. O'Connell for boat attendance on the Bull Rock Lighthouse was determined by the Commissioners at the end of September, 1890, in pursuance of a clause therein contained reserving to the Commissioners the power to put an end to the contract at any time by giving the contractor one month's notice. This contract, and other similar contracts for boat attendance on other lighthouses on the south-west coast of Ireland, have been determined, because the Commissioners have found it necessary to employ one steam vessel to effect the relief of several lighthouses on this exposed and stormy coast in place of several separate sailing boats for each station. Mr. O'Connell has received £331 15s. in respect of his services under the Bull Rock contract. I can let the hon. Member have a copy of the contract if he desires but it appears

hardly necessary to have it printed as a Parliamentary Paper.

#### CARRYING REVOLVERS WITHOUT LICENCES.

MR. JOICEY (Durham, Chester-le-Street): I beg to ask the Secretary of State for the Home Department if his attention has been called to the growing practice of carrying revolvers in the County of Durham; and if, in the interests and safety of the general public, he will instruct the authorities to be more stringent in enforcing payment of licences for firearms, and of the penalties where firearms are carried without licences?

THE SECRETARY OF STATE FOR THE HOME DEPARTMENT (MR. MATTHEWS, Birmingham, E.): I am informed by the Chief Constable that the police in the County of Durham have stringent orders to report to their superior officers any cases of persons carrying revolvers or other firearms without a licence, but that up to the present time there does not appear to be any increase in the county of the practice of people so doing.

#### REGISTERED LETTERS.

MR. HENNIKER HEATON: I beg to ask the Postmaster General what was the number of letters registered last year, and what was the total amount received by his Department for such registration?

THE POSTMASTER GENERAL (SIR J. FERGUSSON, Manchester, N.E.): The Returns for the last financial year are not yet complete. The figures for the previous year, ending 31st March, 1891, are given at page 1 of the last Report of the Postmaster General. They show that 11,357,197 letters on which fees were payable were registered. At 2d. each, therefore, the total amount received was £94,643. In addition to these, 1,467,376 letters were registered for Government Offices without fee. These are not included in the published Return.

#### THE TRANSATLANTIC MAILS.

MR. LEWIS (Anglesey): I beg to ask the Postmaster General whether he is aware that the American mails landed at Queenstown are frequently delayed several hours to wait for the sailing of

the mail steamer at Kingstown; what was the average time that elapsed between the arrival of each mail at Queenstown and the departure of the mails from Kingstown during the month of July in last year; whether the mails from New York to London *via* Southampton are on an average a shorter time in transit than the mails *via* Queenstown, notwithstanding that the sea route to Southampton is considerably longer than the sea route to Queenstown; whether there would be a considerable saving of time if the mails were taken direct from New York to Holyhead, and could he state what would be the average gain per voyage, and whether Her Majesty's Government will take into consideration the advisability of substituting Holyhead for Queenstown as a port of call for embarking and disembarking mails?

MR. FLYNN (Cork, N.): Will the right hon. Gentleman say, if the Treasury would consent to give the amount asked for, would not Queenstown be far and away the best port for the landing of the transatlantic mails?

SIR J. FERGUSSON: I am not prepared to make any comparisons as to the advantages of Queenstown and Southampton. The American mails are not delayed at Queenstown unless it appears that to forward them specially would not accelerate their delivery; the mails from New York for England were only landed in Ireland four times in July, 1891. The average interval on those occasions was twelve hours; the third paragraph would require a voluminous Return and laborious calculation, which I should not be justified in undertaking without the expressed desire of the House. I am informed that there would not probably be any saving of time by taking the Atlantic mail steamers to Holyhead; and there is no accommodation for them there.

MR. SEXTON (Belfast, W.): Will the right hon. Gentleman say, is it not the fact that the Treasury are now perfectly satisfied as to the advantages of Queenstown as the port for embarking and disembarking the mails?

SIR J. FERGUSSON: I have not received any communication from the Treasury on the subject.

## INDUSTRIAL SCHOOLS IN SCOTLAND.

MR. LENG (Dundee): I beg to ask the Secretary of State for the Home Department whether the Government Bill dealing with Industrial and Reformatory Schools will extend to Scotland the clauses of the English Act relating to truant and day industrial schools; and whether it will be introduced before Whitsuntide?

MR. MATTHEWS: The answer to the first paragraph is in the affirmative. I hope to introduce these Bills before Whitsuntide.

## FREE POSTAGE OF PARLIAMENTARY PAPERS.

MR. LENG: I beg to ask the Postmaster General whether he has given instructions to the officials of the post offices in this House to act upon his recent statement that Parliamentary Papers as well as Bills can be posted by Members of this House?

SIR J. FERGUSSON: I am sorry to say that I was in error in stating to the hon. Member that Parliamentary Papers as well as Bills can be posted free by hon. Members from the House. They are so posted to, but not by, hon. Members. I am having a note kept of the volume and cost of such papers posted by Members, and when the extent of the matter has been ascertained the question may be considered.

MR. LENG: Will the right hon. Gentleman have specially in view the posting of Returns?

SIR J. FERGUSSON: I will carefully consider the matter as soon as I have ascertained what it amounts to. There are items to consider that might not at once occur to the hon. Member.

## POLYNESIAN LABOUR IN QUEENSLAND.

MR. JOHN ELLIS (Nottingham, Rushcliffe): I beg to ask the Under Secretary of State for the Colonies what is the nature of the reply received from the Queensland Government to the telegram sent them by the Secretary of State, on Monday 16th instant, respecting the Kanaka Labour Traffic Regulations; when copies of the present and revised Regulations will be distributed; and when the Reports and other docu-

ments on the subject mentioned by him on Monday the 16th will be distributed?

MR. CUNINGHAME GRAHAM (Glasgow, N.W.): Will the right hon. Gentleman say whether it is a fact, as reported in the Press, that under the new Regulations armed boats accompany the recruiting boats?

THE UNDER SECRETARY OF STATE FOR THE COLONIES (Baron H. de Worms, Liverpool, East Toxteth): The following telegram was received on Friday last from the Governor of Queensland:—

"Polynesian Labour Act has been sent by mail of 22nd April, debates in Parliament have been sent by mail 29th April. Revised Regulations go to-day. Every effort made to secure reliable agents. I agree in Premier's telegram to Agent General of 11th May which was communicated to you. Regulations seem adequate."

The new Regulations which it will be observed are now on their way will be presented to Parliament as soon as possible after their arrival. The hon. Member will, no doubt, have seen the telegram in the *Times* of Saturday which sets out the substance of them. The present Regulations and the Reports of the Polynesian Immigration Department, with the existing Queensland Acts and recent correspondence, will be given in a Parliamentary Paper which it is hoped will be in the hands of Members on Thursday. I have not information to answer the further question put to me.

## LAND PURCHASE (IRELAND) ACT, 1891

MR. JOHN ELLIS: I beg to ask the Secretary to the Treasury when the Returns required by Section 33 of the Land Purchase (Ireland) Act, 1891, will be distributed?

THE SECRETARY TO THE TREASURY (Sir J. GOSST, Chatham): The Papers were presented on the 17th inst. and they will forthwith be distributed.

## DELIVERY OF ENGLISH MAILS IN IRELAND.

MR. THOMAS HEALY (Wexford, N.): I beg to ask the Postmaster General if there is in Ireland any other group of towns of similar importance to the towns of Wexford, Enniscorthy, and New Ross, similarly circumstanced with regard to distance from Kingstown, as badly served in the delivery of English mails?



**SIR J. FERGUSSON** : It may be that many towns of less importance than those named enjoy a better mail service, because their position gives them the benefit of a good through service. There are not express trains on the Dublin, Wicklow and Wexford line. The Railway Company does not appear to think the traffic sufficient to afford them, and the amount of the correspondence in the district would not warrant the Post Office in paying for fast mail trains.

#### THE VACCINATION COMMISSION.

**MR. CHANNING** (Northampton, E.) : I beg to ask the Secretary of State for the Home Department whether it is his intention to give effect to the recommendation of the interim Report of the Royal Commission on Vaccination, that vaccination prisoners should no longer be subject to the treatment of ordinary prisoners; and whether he will, in pursuance thereof, assent to the Second Reading of the Prisons Acts Amendment Bill now before the House, and give to these prisoners the treatment of first-class misdemeanants, or introduce legislation to the same effect?

**MR. SUMMERS** (Huddersfield) had notice also of the following question :—To ask the Secretary of State for the Home Department whether it is his intention to propose legislation to give effect to the recommendations of the Royal Commission on Vaccination?

**MR. MATTHEWS** : The recommendations made in the interim Report of the Vaccination Commission involve a considerable and important relaxation in the law on this subject, and Her Majesty's Government think it right to consider the evidence on which those recommendations are founded more fully and carefully than they have yet been able to do before deciding what legislation they will recommend to the House, especially as small-pox has considerably increased in several parts of the country. The Government will lose no time in announcing the course they propose to take.

**MR. CHANNING** : May I ask the right hon. Gentleman whether the interim Report dealing with the question of the treatment of prisoners does not present a simple issue upon which Her Majesty's Government could decide at once?

**MR. MATTHEWS** : It is not a simple issue—it depends on many considerations, and we are anxious to see the evidence.

**MR. CHANNING** : I can quite understand that it is necessary to fully consider the evidence in reference to the remission of cumulative penalties, but what I ask is that the Government should deal at once with the question of the treatment of prisoners, which is quite independent of action taken before conviction.

**MR. MATTHEWS** : The whole of the questions hang together, and this particular point depends on the view taken of the offence.

**MR. PICTON** (Leicester) : Does the right hon. Gentleman expect to conclude the inquiry in time to bring in legislation this Session?

**MR. MATTHEWS** : It is possible. The President of the Local Government Board is giving his consideration to the subject now.

#### LETTER BOXES AT SUB-POST OFFICES.

**MR. HENRY J. WILSON** (York, W.R., Holmfirth) : I beg to ask the Postmaster General whether the keepers of receiving offices are now being required to pay for the provision and fixing of a new kind of wall boxes at their offices; what is the cost of such boxes, and the approximate cost of fixing; does the Department require that these boxes shall be supplied by particular makers, and could they be provided at a much lower rate by open competition; and what are the salaries usually paid to the keepers of the smaller class of receiving offices?

**SIR J. FERGUSSON** : The present rule is that the letter boxes at sub-post offices should be cleared from the outside, whereas formerly this was done from inside the office. Sub-postmasters are therefore required to provide letter boxes opening from the outside only—the object being to prevent all access to the contents of the box by assistants or others inside the office. But they may fix any kind of letter box they prefer, provided it complies with the requirements of the Department in this and other respects. As an assistance to sub-postmasters, who wish it, the address of a maker of letter boxes is furnished to them—who supplies one size

at £2 2s. 0d., and a larger size at £2 10s. 0d. The fixing of such boxes would cost from £1 to £1 10s. as a rule. Proper boxes could not, it is thought, be supplied at lower prices than these. Sub-postmasters throughout the Kingdom are remunerated on a fixed scale of payment which regulates their salaries in accordance with the amount of the business done. The minimum salary allowed by the scale is £5 a year.

MR. WILSON: Then if certain keepers of offices are being required by surveyors to provide boxes at more than £2 2s., that is in excess of the requirements of the Department?

SIR J. FERGUSSON: It is one of the conditions of their employment, and though the scale of payment is low there are abundant applications for the appointments.

#### OVERSEERS AND REGISTRATION IN IRELAND.

MR. PATRICK O'BRIEN (Monaghan, N.): I beg to ask the Attorney General for Ireland whether it is the duty of clerks of unions and town clerks acting as overseers under the Franchise Acts for counties and boroughs respectively, when making out their supplemental lists of inhabitant house occupiers, to insert the name and qualification as they find them on the requisition form tendered by or on behalf of the person claiming to be put on the register of voters for successive premises; whether he is aware that although the Court of Appeal so directed in the case of "Lyons v. Chambers," in November, 1889, the Clerk of the Rathdown Union is adopting a different course, to the exclusion of a large number of persons entitled to the franchise; and whether he will direct him to act on the decision of the Court of Appeal?

MR. MADDEN: My answer to the first paragraph is in the negative. As to the second paragraph I have to say that no direction was given by the Court of Appeal such as the hon. Member suggests. All that was decided in "Lyons v. Chambers," was that the clerk of the union would be within his right in placing persons whose qualification is by way of succession upon his list, if he is satisfied that the succession is direct.

*Sir J. Fergusson*

#### ALLEGED INFRINGEMENT OF A GOVERNMENT CONTRACT.

MR. JAMES ROWLANDS (Finsbury, E.): I beg to ask the Financial Secretary to the War Office whether in April he received a letter from the Secretary of the Military Harness and Accoutrement Makers' Trade Union, calling his attention to an alleged infringement of the Factory Clause in a Government contract; whether he has had the matter investigated; and whether he intends to forward a reply?

MR. BRODRICK: Yes, Sir, the letter was received and duly acknowledged. Under very special circumstances permission was given to an accoutrement maker to have a small portion of the work performed outside his factory on premises subject to Government inspection. I satisfied myself, both at the time and by a subsequent inspection of the premises, that nothing has been done which would be an infringement of the Resolution of the House.

#### THE PERSIAN TOBACCO CONCESSION.

MR. LABOUCHERE (Northampton): I beg to ask the Under Secretary of State for Foreign Affairs whether the Persian Government has been induced, by the intervention of Her Majesty's Representative at Teheran, to pay to the Imperial Tobacco Corporation of Persia the sum of £500,000, in consideration of having abrogated the concession granted to that company; whether he is aware that the capital of the company was £652,000, of which £297,400 and £2,600 founders' shares, were paid to a company called the Eastern Concessions Syndicate, which appears to have acquired the concession from Mr. Gerald Francis Talbot, on 3rd May, 1890, and to have sold it to the Imperial Tobacco Corporation of Persia on 3rd November of the same year; whether he will lay upon the Table of the House copies of contract, dated 3rd May, 1890, between Mr. Gerald Francis Talbot and the Eastern Concessions Syndicate; contract dated 3rd November, 1890, between the Eastern Concessions Syndicate and the Imperial Tobacco Corporation of Persia; contract, dated 19th September, 1890, between the Eastern Concessions Syndicate and John Byron Dawes, relating to

the underwriting of a portion of the capital of the Imperial Tobacco Corporation of Persia Company; all of which contracts are alluded to in the prospectus of the Imperial Tobacco Corporation of Persia, published 3rd November, 1890; and the names of the persons constituting the Eastern Concessions Syndicate; and whether he is aware that in the aforesaid prospectus it was stated, with a view to secure subscriptions, that the net annual profits from the concession accruing to the Corporation were £371,875?

**THE UNDER SECRETARY OF STATE FOR FOREIGN AFFAIRS (Mr. J. W. LOWTHER, Cumberland, Penrith):** The Persian Government have agreed to pay £500,000 as compensation to the Imperial Tobacco Corporation for the abrogation of their concession. The concession provided for a reference to arbitration in case of dispute between the parties. When the concession was abrogated, the Corporation pressed for arbitration. The Persian Government, however, were anxious to settle the matter without such a reference, and, at the request of both parties, Her Majesty's Government gave their good offices for bringing about an arrangement. The information furnished by the Corporation was that their capital was £650,000, dealt with as follows: Paid for the concession to the Eastern Concessions Syndicate, Limited, £300,000 (£83,000 in cash, and £217,000 in shares); cash sent to Persia and expended and remaining in London, £350,000; total, £650,000. The Syndicate had acquired the concession from Major Talbot, to whom it had been granted by the Shah of Persia. There are no copies of the documents mentioned in the third and fourth paragraphs of the hon. Member's question in the possession of the Foreign Office.

**Mr. LABOUCHERE:** Is the hon. Gentleman aware that the documents referred to are mentioned in the prospectus, and anybody is entitled to go and look at them; consequently I ask that before a final settlement is made Her Majesty's Government should obtain a copy of these documents from Somerset House in order that the atrocious swindle may not be committed which is contemplated by Her Majesty's Government.

**\*Mr. SPEAKER:** Order, order! That is not a question to be answered

**Mr. BARTLEY (Islington, N.):** On a point of Order I would ask whether the expression just used can be withdrawn, as it has been freely stated across the floor of the House that "he has got it out"?

**\*Mr. SPEAKER:** I took notice of the expression, and, thinking that the question might be answered, I requested that a question put in that form should not be answered; and I meant thereby to mark my sense that the expression was unparliamentary and altogether unsuitable to this House.

**Mr. CUNINGHAME GRAHAM:** May I ask the hon. Gentleman whether the Tobacco Corporation have expended any money at all on any useful purpose in Persia for which the Corporation should expect to receive an indemnity of £500,000?

**Mr. J. W. LOWTHER:** Yes, Sir, the Corporation have expended a large sum in bringing their concession into operation. I cannot give the hon. Member the figures at present, but I think he will find, when the Return is laid on the Table of the House, that they are very clearly stated.

**Mr. CUNINGHAME GRAHAM:** I am not sure that I have made my meaning clear. Of course I understand that large sums have been expended in Persia; but were they expended in acquiring the concession, and was anything of a practical nature expended to the benefit of the people of Persia in any way, for, as the matter stands, it would appear that the money was expended in "squaring" the Persian officials?

**Mr. J. W. LOWTHER:** My answer was intended to cover the expenses—perfectly proper and legitimate and natural expenses—to which the Corporation have been put in bringing into operation the concession they had obtained, such as in the employment of servants and the purchase of buildings and materials.

**Mr. PICTON (Leicester):** Will the hon. Gentleman tell us whether the money paid in compensation is being lent by the Russian Government for that purpose? Is he aware of that? Could he also furnish to the House the names of the gentlemen forming the syndicate?

**Mr. J. W. LOWTHER:** I am not aware that the money has been lent by

the Russian Government. As to the other matter, I am afraid I must ask for notice.

MR. TIMOTHY HEALY (Longford, N.): Does the hon. Gentleman know how many Baronets on the other side of the House are connected with this Corporation?

[No reply was given.]

#### THE NEW COINAGE.

SIR J. BAIN (Whitehaven): I beg to ask the Chancellor of the Exchequer if it is his intention to exhibit the designs for the proposed new coinage to the Members of this House before issue; and whether it is intended to impress the value on all coins to be issued?

THE CHANCELLOR OF THE EXCHEQUER (MR. GOSCHEN, St. George's, Hanover Square): The value will be impressed on all coins with the exception of gold coins and crown pieces. Four-shilling pieces will be withdrawn, so that no confusion can arise as between the four-shilling and five-shilling pieces. I do not propose to exhibit the designs of the new coinage to Members of the House.

MR. H. H. FOWLER (Wolverhampton, E.): When will they be issued?

MR. GOSCHEN: I have not yet received the final Report. I do not see any necessity for putting the designs before Members of the House. The Committee appointed to examine the designs is an authoritative one, including Sir Frederick Leighton as representing Art, while the right hon. Baronet (Sir J. Lubbock) and others represent banking interests, including the Bank of England. I think the matter should be allowed to rest on the authority of the Committee and the responsibility of the Government. To put the designs before the House would probably lead to criticisms being expressed by a few, the great majority of those in favour of the designs not expressing any opinion at all.

MR. H. H. FOWLER: When will they be put into circulation?

MR. GOSCHEN: I hope the Mint will take the matter in hand immediately. Of course the dies have to be engraved and arrangements for manufacture will take some time.

Mr. J. W. Lowther

#### IRREGULAR VOTING FOR A PETTY SESSIONS CLERK.

MR. FLYNN: I beg to ask the Attorney General for Ireland whether his attention has been called to the proceedings connected with the recent election of Petty Sessions Clerk for Doneraile, County Cork district, when several magistrates who took part in the election infringed the rules laid down for the guidance of Justices on such occasions; is he aware that Lord Castletown voted on that occasion for Mr. Roche, though his Lordship does not reside in the county, and had never sat on the Bench before; also that Mr. Levinge voted on the same occasion, though only appointed a magistrate that very day; and, if the facts be as above stated, will the attention of the Lord Chancellor be called to these infringements of the rules laid down under the Petty Sessions Acts?

MR. MADDEN: I have inquired into the circumstances of the election referred to in the question, and I find that there were two candidates—Mr. Murphy and Mr. Roche, and that the votes of two magistrates who voted for Mr. Roche, and of one who voted for Mr. Murphy, were subsequently disallowed. There is nothing before me to suggest that these votes were given otherwise than *bonâ fide*. Lord Castletown has a residence in the district, which he occasionally visits, but it was held that he did not reside within the meaning of the rule. There does not appear to have been any intentional infringement of the rule.

MR. FLYNN: Did not Lord Castletown vote on the occasion in question in violation of the regulations laid down?

MR. MADDEN: I have said that Lord Castletown voted under a misapprehension, but there is no evidence that his vote was tendered in other than a *bonâ fide* manner.

MR. FLYNN: And was the agent entitled to vote?

MR. MADDEN: Certainly.

#### UNDER AGE ENLISTMENT.

MR. WILLIAM REDMOND (Fermanagh, N.): I beg to ask the Financial Secretary to the War Office if it is true that the authorities refused the discharge of Private Michael M'Pike from the Royal Inniskilling Fusiliers; and, if so, upon what grounds?



MR. BRODRICK: Private M'Pike enlisted under the age of eighteen years, but was accepted, as his physique came fully up to the standard of a youth of eighteen years of age. His having enlisted under the age of eighteen years gives his father no right to claim his discharge, as he was accepted on his own statement, verified as far as possible by his physique.

#### CHARTERED COMPANIES IN AFRICA.

MR. CUNINGHAME GRAHAM: I beg to ask the Under Secretary of State for Foreign Affairs if he could see his way to appoint a Resident Inspector in each of the territories of the great Chartered Companies in Africa; if an annual Report to Parliament from the Crown official could be furnished; if an assigned date for the termination of their privileges could be made, in order to open Parliamentary inspection and consideration; if he contemplates imposing any tribute to the Imperial Exchequer on these companies; and if there is any reason for delegating the Imperial authority in Africa to these companies, entirely composed of unofficial persons?

MR. J. W. LOWTHER: I informed the hon. Member that I doubted if I should be able to give him very full information to-day. I am afraid that it would be impossible for me to reply to the numerous and novel points raised by the hon. Member within the limits usually assigned to an answer to a question. His proposals would, if adopted, practically entail such essential modifications of the conditions under which the several charters were granted as would necessitate the withdrawal of the charters. The last paragraph raises the question of the whole policy of granting charters to companies, a policy which has been frequently discussed in the House and which would appear to be matter for debate.

MR. CUNINGHAME GRAHAM: There is one point in my question which perhaps the hon. Gentleman might answer now, and that is whether the Government could appoint a Resident in the territories of these companies? These companies have practically powers of life and death over the native races, and it would seem that for their protec-

tion it would be judicious to appoint an Imperial official?

MR. J. W. LOWTHER: It is a matter that would require a good deal more consideration than the Secretary of State has been able to give to it. I may point out that these companies are, as a rule, each managed from London, from the head office of the company, and those who reside in the territory are really only the executive officers of the company carrying out the instructions from the management in London.

MR. CUNINGHAME GRAHAM: That is precisely the reason why I put my question. Does it not appear to the hon. Gentleman that it would be well to have an Imperial official Resident in the territory? What redress would even an Englishman get if he were wronged? I imagine he would not be likely to get much satisfaction on an appeal to the Board of Management in London?

MR. J. W. LOWTHER: If the hon. Member will repeat the notice of his first question, and give me a little time, I will consider. The appointment of an Imperial officer of the kind demands very serious consideration, and it makes, of course, a large demand upon Imperial funds.

MR. CUNINGHAME GRAHAM: I will put down the question for Thursday. Of course, my object is to secure protection for the native races.

#### THE SALARIES OF CUSTOMS OFFICERS.

MR. CUNINGHAME GRAHAM: I beg to ask the President of the Board of Trade whether his attention has been called to a case which appeared in the *Daily News* of the 12th instant, where a Customs officer was summoned at the Thames Police Court by a seaman for detaining twelve ounces of tobacco and a bottle of Florida water, and to the comments of the magistrate on the proceedings of the Customs authorities; whether, in the inquiry held by the Chancellor of the Exchequer in 1891, into the complaints of the officers of the Outdoor Department of the Customs, that while superior officers receiving large salaries were granted substantial benefits, the subordinates—namely, boatmen, receiving very low pay, were granted nothing, but sustained pecuniary loss by the abolition of classification, and that, in consequence

a great deal of discontent prevails amongst the officers of this class; and whether, in view of the temptation to improper exercise of their duties which is caused by the low scale of salaries, the Treasury would grant an improvement in the position of these officers?

\*SIR M. HICKS BEACH: The hon. Member has been good enough to postpone this question from Friday, but I have not yet completed the inquiries, and I shall be glad if he will put it down again for Thursday.

MR. CUNINGHAME GRAHAM: I will put the question down again on Thursday.

#### AN ALLEGED DEATH FROM OVERWORK.

MR. COBB (Warwick, S.E., Rugby): I beg to ask the Attorney General whether his attention has been called to the evidence given at the Marylebone Coroner's Court, on the 18th April, at the inquest on the body of Mr. William Bedwell, who was in the service of the Registrar of the Marylebone County Court for upwards of forty years, and died through overwork; whether the Coroner is correctly reported to have said that, on the face of it, the case involved a public scandal; whether he is aware that Registrars' clerks, although they are appointed and paid by the Treasury, are not Civil servants, and are not entitled to any superannuation allowance, but that the clerks of the City of London Court, the Examiners of Accounts, and County Court Judges, receive superannuation allowances; and whether it is proposed to make any change, with a view of placing Registrars' clerks in a better position?

THE SOLICITOR GENERAL (Sir E. CLARKE, Plymouth): In the absence of my hon. and learned Friend who is engaged elsewhere on Parliamentary business, I will read his answer to this question in his own words. I am informed that Mr. Bedwell, whose death is referred to in the hon. Member's question, died partly from heart disease. I believe it is the fact that latterly he spent a great deal of time at the office beyond the ordinary hours; but there is, on the information before me, no foundation for the statement that he died from overwork. Clerical assistance is allowed if required. I have no report

*Mr. Cuninghame Graham*

of the Coroner's observations beyond that which the hon. Member was good enough to send me from a newspaper; but there certainly is no warrant for the observation suggested in the hon. Member's question. Registrars' Clerks are neither appointed nor paid by the Treasury. It would not be desirable to introduce any legislation with a view of making the clerks of upwards of five hundred Registrars permanent civil servants or entitled to pensions.

#### CLERGY DISCIPLINE (IMMORALITY) BILL.

COLONEL SANDYS (Lancashire, S.W., Bootle): I beg to ask the First Lord of the Treasury whether it is the fact that the Clergy Discipline (Immorality) Bill is intended to revive the criminal jurisdiction of the Bishops' local Diocesan Consistory Courts, which was abolished by the Church Discipline Act, 1850?

THE FIRST LORD OF THE TREASURY (Mr. A. J. BALFOUR, Manchester, E.): The Clergy Discipline Bill is in no way intended to revive any criminal jurisdiction of the Bishops' local Diocesan Consistory Courts, but merely to simplify the existing practice, and to remedy certain defects which have prevented the efficient administration of the existing law.

#### STREET ACCIDENTS IN LONDON.

MR. COGHILL (Newcastle-under-Lyme): I beg to ask the Secretary of State for the Home Department whether he can say what class of vehicle it was that was chiefly responsible last year for the 147 deaths and 5,784 personal injuries resulting from accidents in the streets of the Metropolis; whether he is aware that during the same period only five passengers were killed on all the railways in the United Kingdom; and whether he will take steps for the better regulation and control of the street traffic?

MR. MATTHEWS: The number of personal injuries quoted in the question includes the 147 deaths reported. The greater number of accidents was caused by light carts, cabs, and vans. I should point out that the number of passengers killed on the railways in 1891 was 103, including 23 who were killed whilst crossing the line at stations. The Commissioner of Police is in constant corre-

spondence with the Vestries and other Local Authorities in respect of the establishment of additional refuges or the removal to more suitable sites of those already existing, and on other matters relating to the safety of the streets of the Metropolis, with a view to the prevention of accidents.

MR. PARKER SMITH (Lanark, Partick): Can the right hon. Gentleman say what proportion of the accidents occurred in connection with vans so constructed that the driver could not see out of the side or back; and whether vans of this kind are allowed in any other city in the United Kingdom?

MR. MATTHEWS: I cannot say whether vans of this kind are or are not allowed in any other city in the United Kingdom, or in the world. I cannot give any statistics of the kind the hon. Gentleman desires.

#### FOREIGN-MADE GLASS BOTTLES.

MR. SETON-KARR (St. Helen's): I beg to ask the President of the Board of Trade whether he is aware that large quantities of foreign-made glass bottles are received at the ports of London, Liverpool, Belfast, and Glasgow, and also at other ports in the United Kingdom, and pass into this country without any restrictions as to marks on bottles or packages; whether such importation of foreign-made goods is a violation of the principle of the Merchandise Marks Act of 1887; whether he will cause full inquiry as to such alleged importation to be made; and whether the Government will, if necessary, amend the letter or the administration of the existing law to meet the case, and prevent such unrestricted importation as aforesaid?

\*SIR M. HICKS BEACH: I have no knowledge of the number of foreign-made glass bottles imported into this country. If they are imported without any false indication of origin or other false trade description there would be no infringement of the Merchandise Marks Act. The Committee which reported in 1890 declined to recommend that the law should be so altered as to render compulsory the marking of all goods with an indication of origin.

MR. SETON-KARR: Will the right hon. Gentleman undertake to inquire into the facts of the case as to whether these bottles are imported in large quantities or not.

\*SIR M. HICKS BEACH: The difficulty is this. Glass is one of the articles of which we have returns: but glass bottles are not separated in this return from other articles of glass.

MR. SETON-KARR: I should like to ask whether he will inquire whether glass bottles, as differentiated from glass goods, are imported in bulk from foreign countries without any mark to show in what country they are manufactured, thus causing a presumption that they are manufactured in this country?

\*SIR M. HICKS BEACH: I have no doubt that is so, but I have endeavoured to explain that the law is not broken, unless they are so marked as to give a false idea of the place of their manufacture.

MR. SETON-KARR: In consequence of the unsatisfactory answer I have received I beg to say that this day four weeks I shall call the attention of the House to the importation of glass bottles in the manner described, and move a Resolution.

#### THE CASE OF THE REV. E. B. HAWKSHAW.

MR. COBB: I beg to ask the Secretary of State for the Home Department whether he can now state the result of the inquiries which have been made by the Lord Chancellor into the case of the Rev. Edward Burdett Hawkshaw, the Chairman of the Ross Bench of Justices, who wrongfully assumed, during eighteen years, the title and hood of a Master of Arts of Oriel College, Oxford, although he was in fact a Bachelor of Arts, and described himself as a Master of Arts on bills publicly announcing missionary meetings and the delivery of sermons, and also in the same capacity conducted the services and administered the sacraments of the Church; whether he is aware that, under one of the canons of the Church, such an irregularity involves the punishment of suspension, and is regarded as a serious offence by members of the University of Oxford, and is punishable under the University Statutes; whether Mr. Hawkshaw continued his irregularity until it became necessary for

him to take the degree of Master of Arts in order to qualify himself for the prebendal stall of Nonnington in Hereford Cathedral which was offered him by the Bishop, who then for the first time discovered the irregularity; whether he is aware that a strong feeling has been aroused by this disclosure; and whether Mr. Hawkshaw will be removed from the Commission of the Peace?

MR. MATTHEWS: I have no information as to the facts stated in the first paragraph, except that I am assured by Mr. Hawkshaw that it is wholly untrue that he ever described himself, or saw himself described, as a M.A. I know of no canon relevant to this subject except the fifty-eighth canon, which appears to me to provide suspension against a minister who, being no graduate, wears a hood. I do not know whether the University Statutes contain a provision such as the hon. Member indicates. These are matters which appear proper for the Ordinary and the Vice Chancellor to deal with. I am informed that Mr. Hawkshaw took his Master's degree before any legal necessity arose for his possessing that qualification. I know nothing about the local feeling; and I am informed by the Lord Chancellor that no facts have been brought to his notice which call for the removal of Mr. Hawkshaw's name from the Commission of the Peace.

#### THE CONDITION OF WELLINGTON PLACE.

LORD H. BRUCE: I beg to ask the First Commissioner of Works why the thoroughfare of Wellington Place should be pulled up during the latter end of May, when the vehicular traffic is greater than at other times during the year?

THE FIRST COMMISSIONER OF WORKS (Mr. PLUNKET, Dublin University): I can only say to the noble Lord that I have no authority over Wellington Palace; it is under the Vestry, and I cannot, therefore, do anything in the matter. I may, however, inform him that the work is almost completed, and I hope in a few days the traffic will be uninterrupted.

*Mr. Cobb*

#### THE FIRE AT HANDLEY.

MR. STURT (Dorset, E.): I beg to ask the Financial Secretary to the War Office a question of which I have given private notice as to whether, under the exceptional circumstances of the case, he will allow a certain number of tents to be sent from the War Office to Handley for the accommodation of the unfortunates whose houses were destroyed in the fire which occurred there?

MR. HULSE (Salisbury): I have been in communication with the Mayor of Salisbury, and am informed that in case the War Office will send the tents, every facility will be given for the despatch of the tents from Salisbury to Handley.

MR. BRODRICK: I have communicated with the Military Authorities, and under the circumstances the War Department will afford every assistance in their power.

#### THE JEBU EXPEDITION.

MR. OSBORNE MORGAN (Denbighshire, E.): I should like to ask the Under Secretary for the Colonies whether he can give the House any further information as to the operation of the British forces in West Africa?

\*BARON H. DE WORMS: The following telegram has been received from Lagos, dated 23rd May:—

"Information received from reliable source, not from officer in charge of expedition, Jebu Ode taken May 20, after considerable resistance. King captured. Willoughby, native officer, killed, and three men; four officers wounded, not seriously, also twenty-five men. Starting for Jebu Ode, May 24.—CARTER."

#### ALLEGED DISTURBANCES IN BELFAST.

MR. SEXTON: Having regard to a recent speech of the Prime Minister, and certain other proceedings of which the House is aware, I should like to ask the Attorney General for Ireland, as a matter of urgency, a question of which I have given him private notice, whether the Government have received any information or have made any inquiry as to the substance of a paragraph which appeared in the *Evening Standard* on Saturday to the effect that news came from Belfast that women and boys of the Queen's Island works had commenced an attack with sticks on two fellow-workmen, accom-



panying this attack with yells of "Down with the Fenians"? One of the men assaulted was struck with an iron bar, and the other man had his head split open, and it was only flight that saved their lives.

MR. MADDEN: The hon. Member for Monaghan gave private notice of this question, so that I have been able to obtain a report on the subject. I am informed that the report in the newspaper to which the hon. Member refers is wholly unfounded. There does not appear to have been any incident to suggest it beyond the fact of a trifling quarrel between two young boys of about fourteen years of age, such as might occur in any place and at any time, and the incident of a boy having been accidentally injured at the works. I am happy to add that there are hundreds of Roman Catholics quietly engaged on the Queen's Island Works without being in any way interfered with.

#### BUSINESS OF THE HOUSE.

LORD H. BRUCE (Wilts, Chippenham): I beg to ask the First Lord of the Treasury whether the Government will grant him any facilities to pass the Bill standing in the name of the hon. Member for North Wilts, as well as those of other Members of the House, to provide improved cottages for rural labourers?

MR. A. J. BALFOUR: In answer to the noble Lord I can only say that, although the subject is of great importance, I do not think it is possible in the present condition of Public Business to give special facilities for this Bill, or for other private Members' Bills.

MR. JOHN ELLIS: I beg to ask the First Lord of the Treasury whether, for the convenience of the House, he can now state when he proposes the adjournment of the House for and its re-assembling after Whitsuntide?

MR. A. J. BALFOUR: I think the most convenient course would be for the House to separate on the Friday before Whit Sunday. As to what day we shall re-assemble, that will largely depend on the progress we make with Public Business before the Recess.

MR. BRAND (Cambridge, Wisbech): I beg to ask the First Lord of the Treasury whether he can now fix a date for

the introduction of the Rating of Schools Bill?

MR. A. J. BALFOUR: The Bill is now ready, and will be introduced in a day or two.

MR. H. GARDNER (Essex, Saffron Walden): Will this Bill deal with the use of schools for public meetings?

MR. A. J. BALFOUR: It will deal partly with the subject of the rating of schools and partly with the use of schools for public meetings.

MR. BRYCE (Aberdeen, S.): I beg to ask the Lord Advocate when he will bring in the Bill for securing the rights of the public to access to mountains and moorlands in Scotland, which Her Majesty's Government have undertaken to introduce?

\*THE LORD ADVOCATE (Sir C. J. PEARSON, Edinburgh and St. Andrew's Universities): The Bill will be brought in immediately.

MR. BRYCE: I must ask the Lord Advocate to give me some more specific reply than "immediately"—it adds nothing to the answer he gave me a week ago. If the right hon. Gentleman gives me no further answer, I must repeat the notice of my question. The right hon. Gentleman has been most evasive in his replies.

\*SIR C. J. PEARSON: I hope to bring in the Bill this week, probably within the next two or three days.

MR. BARTLEY: I should like to ask the Chancellor of the Exchequer when he proposes to take the Customs and Inland Revenue Bill, and whether he will give it an early place on the Paper, so that we may discuss the Income Tax?

\*MR. GOSCHEN: I propose to take it this evening, as we can proceed with it after twelve o'clock. I could have taken it the other evening if I had been able to give sufficient notice to hon. Members; but I hope we shall make progress with it after twelve o'clock to-night.

MR. H. GARDNER: I should like to ask the First Lord of the Treasury when he intends to take the fourth stage of the Small Agricultural Holdings Bill?

MR. A. J. BALFOUR: My present intention is to take the Report of the Small Agricultural Holdings Bill immediately after the Vote on Account, which, as hon. Members are aware, must be taken on Thursday. I thus propose,

unless contingencies arise that are not at present contemplated, to take it on Friday.

MR. J. MORLEY (Newcastle-upon-Tyne): I should like to put a question to the First Lord of the Treasury with respect to what took place on Friday night. Practically there was no Motion down on the Paper, and it was understood that the night would be devoted to Government Business, particularly, I think, the Indian Councils Bill and the Inland Revenue Act. Under these circumstances, surely it was the business of the Government, as we certainly understood it was their intention, to see that a House was made. So many remarks are constantly made about the waste of time in this House that I think the Leader of the House owes some explanation of the failure of the Government to do what was obviously their duty.

MR. A. J. BALFOUR: The right hon. Gentleman is quite correct when he says that the Government desire to proceed with the Indian Councils Bill; but he is mistaken when he includes the Inland Revenue Bill. At nine o'clock, I regret to say, I was not present myself; but I am informed that there were thirty gentlemen who support the Government and two gentlemen who do not support the Government in attendance. The result was a "count," and some slight, though I hope not material, delay in the completion of the Government Business. I must recognise that when the Government take the Morning Sittings it is their duty to assist the House to form a quorum at nine o'clock; but they must receive some sort of co-operation from hon. Gentlemen opposite. The whole burden should not be left on the Government, and we can do little more than we did.

MR. JOHN ELLIS: As we are to have the Vote on Account on Thursday when will the usual statement be available for Members?

SIR J. GORST: I will lay the Estimates on the Table to-night, and have them printed at once.

DR. FARQUHARSON (Aberdeenshire, W.): I should like to ask the First Lord of the Treasury whether it is his intention to proceed to-night or at any future time with the Private Bill Procedure Bill?

*Mr. A. J. Balfour*

THE FIRE AT H...  
MR. STURT (Dorset, B...  
the Financial Secretary...  
to a question of which I...  
make notice as to whether,

circumstances of the...  
tain number of the...  
War Office to Ha...  
tion of the un...  
destroyed

POST OFFICE ACT...  
MENT) BILL...  
MOTION FOR LEAVE...  
Motion made, and Question put

"That leave be given to bring in...  
amend 'The Post Office Act, 1891.'"  
Fergusson)

MR. TIMOTHY HEALY (Long...  
N.): Is it competent to ask the Minister in charge of the Bill to make some statement respecting this measure? As we are generally in conflict with the Postmaster General, we are not disposed to give him facilities for legislation without any explanation.

SIR J. FERGUSSON: This is a measure of the simplest kind, intended to rectify an omission in the Post Office Act of last year, whereby Local Authorities are empowered to make guarantees in connection with the establishment of telegraphic offices. This is extended to Ireland and to England, but not to Scotland; and as there has been a great desire in Scotland to have it, this Bill is intended to rectify that omission. It also makes some provision for post office sites.

Motion agreed to.

Bill ordered to be brought in by Sir J. Fergusson and Sir J. Gorst.

Bill presented, and read first time. [Bill 364.]

#### ORDERS OF THE DAY.

#### LOCAL GOVERNMENT (IRELAND) BILL.—(No. 174.)

#### SECOND READING [ADJOURNED DEBATE.]

Order read, for resuming Adjourned Debate on Amendment to Question [19th May] "That the Bill be now read a second time."

And which Amendment was, to leave out the word "now," and at the end of the Question to add the words "upon this day six months."—(Mr. Sexton.)

panying this attack with yells of "Down with the Fenians"? One of the men assaulted was struck with an iron bar and the other man had his head open, and it was only flight that saved their lives.

AM O'BRIEN  
We must all be con-

MR. MADDEN: To a very large extent this for Monaghan gave place. I have already adjourned to another question, so that place. If the Government obtain a reprieve, I desire to have this Bill, I confess informed that I am disposed to let them have it, paper to show I have a pretty shrewd suspicion as to what will happen before it gets into working order, suggest Bill, and possibly one or two other quarters of bungling and mischievous Tory legislation, will be made the subjects of a clean sweep by a new Parliament and in a Government which have other views about Ireland than the present Government. If the First Lord of the Treasury only desires to complete his programme before going to the country, I should be disposed to let him have the Bill to the top of his bent, and let the country know that we have at last reached the limit of Tory concessions in regard to Ireland; that this brilliant Bill represents the last—the supreme—effort of Tory statesmanship to satisfy the aspirations of at least fifteen millions of the Irish race scattered all over the globe. I do not think we could possibly do better than go to the country with this Bill, and tell the people that this is the Tory alternative to what was promised in 1886. We can lay it before the people in all its minute and multitudinous absurdities, and ask them if there is a single man in England who believes—least of all the author of the Bill himself—that it will provide a substitute for the policy of the right hon. Gentleman the Member for Midlothian (Mr. W. E. Gladstone). Does anyone believe that this Bill will to any extent abate the Irish difficulty? I doubt whether there is a single gentleman in the most reactionary corner of the Benches opposite who will stand up and say that a Bill of this kind, which contains an affront to Irish national sentiment in every clause, and proceeds on the assumption that you are dealing with an inferior and a subject race, is going to satisfy the national aspirations which have existed for ages in the Irish heart, aspirations for which thousands and hundreds of thousands of men have suffered and died,

That the  
Question."

and for which to-day thousands are just as ready to suffer and die, even if it be on the Shankhill Road when Ulster charges with all its chivalry. The right hon. Gentleman (Mr. A. J. Balfour) does not even claim that this Bill is a substitute for Home Rule. But if it is not meant to satisfy the Irish people what is it meant to do? Who wants it? Not the Irish people. There is not a single Irish Nationalist Representative of any shade or any section who has not told you that he rejects this Bill, and not only that—he rejects it as a national insult and a wild practical joke. Do the Protestant farmers in Ulster want it? I challenge hon. and gallant and learned Members from Ulster opposite to deny that the Irish Grand Jury system as cordially as we do. This is a Bill not to abolish the Grand Jury system, but to make it a permanent institution—a permanent estate of the realm. The effect of this Bill will be to constitute the Grand Juries a mannikin House of Lords in every county with absolute power and no responsibility. I hope hon. Gentlemen will submit this Bill to the forthcoming Convention of Ulstermen in Belfast, and I venture to say that nine out of every ten of these Protestant farmers would rather have one Irish National Parliament than have these thirty-two Standing Committees of local landlords. So far as I know, and so far as we have heard, no one in Ulster wants this Bill. Everybody rejects and despises it. We know that even Tory Members from Ulster have only been induced to swallow the Bill with a considerable number of grimaces. And why? Because they know that it simply agitates the Local Government Question without settling it. If by any possibility the Bill should pass, the County Councils would be simply thirty-two centres of perpetual agitation and discontent in Ireland, with a case so strong that they would probably succeed in dislocating County Government altogether, and in disestablishing the Standing Joint Committees and Grand Juries. During the Debate, at least one independent Tory Member from Ulster has been induced to toe the line, and we appreciated the gallantry with which the hon. Member for South Antrim (Mr. Macartney) attempted to show a trace of a somewhat belated enthusiasm. But to get the Ulster

landlords to approve of the Bill, you have been compelled to hand over to them the absolute control of the police, and to guarantee that all county officials in Ireland, Members of the "loyal minority," shall be placed beyond the control and above the authority of the County Councils, and be insured full salaries and ample pensions at the expense of the cesspayers over whom this Bill will set them as masters. You can reconcile the loyal minority to almost anything if you will only put a new batch of Tory pensioners on the country. The House recollects that when you wanted to reconcile the hon. Member for South Tyrone (Mr. T. W. Russell) to the Land Act of 1887 which he denounced so vehemently and so dramatically——

MR. T. W. RUSSELL (Tyrone, S.): I did not denounce the Bill of 1887.

MR. WILLIAM O'BRIEN: The House will remember the dramatic exclamation of the hon. Member, "God help the Irish tenantry!" and the announcement in the Tory papers that the hon. Member had cancelled his engagements to speak at Tory meetings.

MR. T. W. RUSSELL: The hon. Member is speaking of a different Act altogether, and I do not choose it to go to the country, even from the hon. Member, that I opposed the Land Act of 1887. As a simple matter of fact, I laboured to make that Act better than it was, and succeeded in doing it, I think. The hon. Member is referring to the Arrears Bill.

MR. WILLIAM O'BRIEN: Not a bit of it. When the Bill came down from the House of Lords the hon. Gentleman denounced the Amendments made by the House of Lords, and exclaimed, "God help the tenantry of Ireland!" and cancelled his engagements to speak at Tory meetings. That Act involved a Land Commissionership for a gentleman who, in addition to all his other virtues, was a near relation of the hon. Gentleman. The hon. Gentleman conquered his aversion to the Lords' Amendments with a patriotism and disinterestedness quite worthy of the loyal minority. What man or section of men nearer to Ireland than West Birmingham wants this Bill, or has any feeling for it except one of contempt and ridicule? I listened with attention to the speech of the right hon. and learned Gentleman the Attorney General for

*Mr. William O'Brien*

Ireland (Mr. Madden) while he made what I may call, without disrespect to him, a feeble canter over the course. The feebleness was in the facts and not in the right hon. Gentleman. The right hon. Gentleman nailed the fifth clause, the "put-them-in-the-dock" clause, to the mast as the Government colours. The Government appears to have chosen that clause as their oriflamme of war. The First Lord of the Treasury was indignant with the hon. Member for West Belfast (Mr. Sexton) for not dealing at length with that clause, as if any detailed argument were required to show that the criminal trial of County Councillors at the whim of any twenty cesspayers is about the grossest insult ever offered to a country under the guise of offering it liberty. We have reason to be grateful to the Government for having the courage of their convictions about this clause, and I would suggest that the only possible improvement they could make in it as a means of conciliating Nationalist sentiment and enlarging Irish liberties would be to substitute two Removable Magistrates for the two Judges of Assize, and to define the mysterious word "oppression" in as large and generous a sense as the term "intimidation" was interpreted by the Removable Magistrates under the Coercion Act, so as to include oppressing a member of the loyal minority with "a humbugging sort of a smile." The hon. and learned Member for Mid Armagh (Mr. Barton) made a speech of learned length, which went to show not that this is a Local Government Bill, but, if I may use the phrase, the worse it is the better; the argument was that the Irish people are so incorrigible that they cannot be trusted with local self-government. I believe the hon. Member's ear is tuned to higher music than that Orange cry. The hon. and learned Gentleman is only an Ulster man by a geographical expression of speech, and we have always regarded him as one of those men who in an Irish Parliament would make the minority respectable and respected, and possibly convert it into a majority when the pledge to die in the last ditch fighting against the Queen's troops shall have disappeared from the qualifications for a seat in Parliament for loyal Ulster. The hon. Gentleman was very impressive on the subject of the term "oppression," and invited me to deal with the iniquities of Irish Boards of Guardians in giving



relief to evicted tenants, and daring to plant a labourer's cottage on the sacred soil of the loyal minority. The hon. and learned Gentleman and his friends have never been able to forgive the Boards of Guardians since they were relieved of the domination of the *ex officio* members, the most effete and corrupt oligarchy that ever existed. I should be delighted to follow him into these matters; but I fear you, Sir, would think it wide of the mark. He also discussed the victims of our oppression in Ireland. The only victims of our oppression I am acquainted with are the rack-renters, whom we have forced to disgorge two millions a year of dishonest rack-rents; and in that form of oppression we had this Tory Parliament and the Government for our accomplices. Let me remind the hon. and learned Gentleman that while this Debate was proceeding an English Judge and jury were appraising the value of this talk about our victims. Did he ever hear of Mrs. Eliza O'Connor, of New Tipperary? She was one of the victims mourned over by the *Times* in large type, and for whom the Primrose dames appealed to the British public for subscriptions. The English jury having seen the lady apart from the glamour and the poetry of the Irish Loyal and Patriotic Union, and having heard the hon. Member for South Tyrone, expressed their sense of the oppression practised upon this famous New Tipperary victim by awarding her one shilling damages, and the Lord Chief Justice of England expressed his sense of the situation by not granting her expenses. But all the hon. and learned Gentleman's remarks as to oppression were utterly irrelevant to the case of the County Councils, for under the Bill they would have rather less power than an Irish Board of Guardians. They could not give sixpence to an evicted tenant, or build a labourer's cottage without the *imprimatur* of a Tory Standing Joint Committee. The masterly analysis of their powers under this Bill by the hon. Member for West Belfast remains unanswered and unanswerable; his contention remains untouched, that in substance and in fact the only power the County Councils would have would be to mend roads that were mended before them. For my part, I can conceive no opportunity for the County Councils to practise oppression unless it is supposed that they would use the stones they got to mend the roads to

throw at the heads of the loyal minority. The only oppression in connection with the County Council would be that which the Councils themselves would suffer. In power they will be beneath the level of a parish vestry, while in all the acts of their lives they will be liable to be tripped up and cuffed by Official Boards. Boards of Guardians were dissolved for passing political resolutions, and these County Councils will be swept away by a Judge of Assize for passing a resolution protesting against their own sufferings. The Attorney General for Ireland briefly invited us to reform the Bill in Committee. Our answer is, "Reform it altogether." The thing is a mockery and imposture in every part. Nobody believes in it, and nobody wants it, except possibly the right hon. Member for West Birmingham (Mr. J. Chamberlain), who still preserves a fondness for the castles in the air which he built in his more sanguine days, and has the same interest in his plans as a maiden lady crossed in love has in a faded love letter. We are told that it is not safe to give the majority in Ireland local self-government unless you keep cuffing and snubbing them, and that it is not safe to shake hands with an Irishman unless he is first handcuffed. That is a singular position to take up after six years of resolute Tory government. The First Lord of the Treasury led us to believe the other night at Manchester that he had brought us all to be as meek as mice in Ireland, and that he was in a position to bid defiance to agitation in future. Does the right hon. Gentleman disavow the sentiment I attribute to him?

THE FIRST LORD OF THE TREASURY (Mr. A. J. BALFOUR, Manchester, E.): I do not recognise the words.

MR. WILLIAM O'BRIEN: I cannot give the golden English eloquence of the right hon. Gentleman, but the view of the average Manchester man of the words of the right hon. Gentleman was that he was so far successful in Ireland that he could bid defiance to agitation in future. But with regard to local self-government for Ireland, in the words of Festus, "the opportune time has not yet arrived" for treating the Irish people as if they were other than ticket-of-leave men under the surveillance of the police. With a Tory Government the opportune time will never arrive; and those who are sitting here in the last years of the twentieth century—if Tory principles of government prevail.

in Ireland in the meantime—will have some brave Mr. Balfour of the future standing up in the House and assuring the Commons of England that he has made a clean sweep of Irish disaffection, and is just on the eve of treating them as real citizens of the Empire; but the opportune time has not yet arrived. If your theory is that we are a nation of thieves, rogues, and Hottentots, treat us as you would treat Hottentots—take away our votes and rule us from head-quarters by drum-head court-martial, and take away the pretence of conciliating Irish national sentiment, and you will be doing as well as you are doing by this Bill. Hon. Members opposite taunt us with our little differences on minor points. We have our little differences like other people; like the Orange Tory Party in Ulster. I ask hon. Members to look at home. It is the habit to talk of the loyal minority in Ireland as if it were a consolidated unity with interests and sympathies absolutely identical. There can be no more ridiculous mistake than that. The Grand Jurymen and Tory placemen, in whose interest this Bill is promoted, are only the minority of the loyal minority. I challenge contradiction when I say that so far as this Bill is concerned, and so far as every detail of the Irish Land Question is concerned, the interest and sympathies of the Protestant farmers, North as well as South, are with us; and if they were left alone by outsiders—Scotchmen who have left their country for their country's good, and English Prime Ministers who are one moment haunting the lobbies of the Vatican with petitions for help, and the next flinging their horrid war brands among the Orange rowdies of Belfast—they would be still more with us. The right hon. and learned Gentleman told us that Irishmen fight bitterly enough, but when the fight is over their instinct is to shake hands and be friends. That is so, and will be so, in Ulster. Five-sixths of the loyal minority are with us to a man on the questions of Local Government and compulsory purchase in Ulster, and I invite anybody who denies that to make them test questions at the Belfast Convention and see if their army will not desert them in regiments, leaving them nothing but General Officers and Prime Ministers. If the Government dream of passing this Bill—and apparently they do not—they will be

*Mr. William O'Brien*

simply doing for the thousandth time that stupid thing—foisting on Ireland what she does not want—instead of doing the one wise thing they have never done or attempted to do, giving her what she does want, and what would content her, leaving you no poorer, but making her far richer. You cannot go to the country with a better epitome, a more compendious short catechism of the theory and doctrine of Tory government in Ireland than this Bill, with all its insolence and absurdities. I would not argue with the man who believes that such Bills as these are going to rid you of the Irish question. At the end of this Tory Parliament, just as at the beginning of it, Irish nationality confronts you, not weaker, but stronger and more irresistible. There is, I verily believe, at this moment no living force in all the politics of the world more widespread, more passionate, more beyond your power to weaken or destroy. In attempting to get rid of the Irish nation from our small island you have created other Irelands in Canada, the United States, and Australia, and have raised at least fifteen millions of Irishmen with a love for Ireland and a passion for Irish nationality, which you can no more destroy than you can destroy the green of the Irish fields or the oxygen of the Irish air. These fifteen millions can be conciliated; they have already been conciliated to a most marvellous degree by the mere hope and promise of legislation of a different character from this Bill; and they are more ready, more eager, now than ever to take that conciliation completely, fully, and honestly to their heart's core the moment it is translated into action; but depend upon it you will never by coercion hurl from their hearts the instincts of Irish nationality, and still less when you think of befooling them by a policy of shabby, insolent, illusory half-measures, such as the Bill now before us. So far as the motion for the Second Reading is concerned, I, for one, am perfectly and absolutely indifferent, because I am fairly well assured that, whether this Bill be now read a second time or not, it will be kicked out with contempt by the constituencies before this day six months.

(5.1.) MR. JOSEPH CHAMBERLAIN (Birmingham, W.): I propose, with the permission of the House, to enter upon a practical and business-like

examination of the provisions of this measure. In doing so, I am afraid that I shall make some demand upon the patience of the House, and that I shall be much more dull than the speaker who has immediately preceded me. I am afraid it is not possible for me to rise to the exalted level of his eloquence. I suppose when it was known that he would take part in this Debate it was expected that he would at once enter into competition with those Irish Members who preceded him, in multiplying epithets of vituperation generally which have been heaped upon this unfortunate measure; and certainly he has been quite as successful in that respect as any speaker who has preceded him. In the course of little more than half-an-hour he has said that this Bill is a shabby, insolent, and illusory half-measure, a mockery, an imposture, and a piece of insolence, a contemptible, ridiculous, and absolutely monstrous absurdity; that it has been proved to be a practical joke, and that it is an affront and an insult, not merely to the Irish people, but to the Irish race to the extent of fifteen millions all over the world; and, finally, that it is abounding in mischief. I confess I should be inclined to pay more attention to these flowers of rhetoric if I did not know that it is "only Pretty Fanny's way"; if I did not know that they strew the path of every proposal for reform in Ireland which has been made, not by this Government only, but by every Government, and that similar language has been heard from the hon. Gentleman and from some of his colleagues in regard to every proposal for land reform, or for the reform of government in Ireland, which has been brought in either by my right hon. Friend the Member for Midlothian (Mr. W. E. Gladstone) or by the right hon. Gentleman on the other side; and yet we have seen that after some, at any rate, of these Bills have been passed into law certain hon. Gentlemen claimed them as their charter of liberty for Ireland, after having abused them as being an insult and a mockery of the aspirations of the Irish people. But there is one thing, at all events, which I may say about the speech of the hon. Member. He has not given to the House, from first to last in his speech, one single piece of evidence, one single proof, that this Bill deserves all the vituperation which has

been lavished upon it. He has indulged in general criticism, consisting of abuse of everybody, chiefly of the Prime Minister and of the hon. Member for South Tyrone; but the Bill he has left entirely alone. He has told us nothing about the reasons for the general description which he has given of it. Now, it is absolutely necessary that we should go a little more into detail; and let me say that it is the difficulty and the characteristic of all discussion upon questions of Local Government that it is extremely difficult to distinguish what is detail from what is principle. Under these circumstances it is almost impossible to carry on the Second Reading discussion in the way in which Second Reading discussions are usually carried on. I will give one illustration, in passing, of this. In opening the Debate upon the Second Reading Motion the hon. Gentleman the Member for West Belfast made a speech which I venture to say was one of conspicuous ability, and above all of conspicuous ingenuity. The hon. Member in the course of that speech was able to establish a case against the Bill unless it can be upset. Although the hon. Member criticised a great number of its provisions, he laid his chief indictment against that part of the Bill which provides, as he says, for the control of the proceedings of the County Council by the Standing Joint Committee, which would consist of a majority of landowners. Well, but the House knows that the Committee is to consist of seven representatives of the Grand Jury and seven representatives of the County Council. Everything depends upon who is to be Chairman. The Government propose a Chairman, who the hon. Member says would in every case take part with the Grand Jury, with the representatives of the Grand Jury; and therefore that was, so long as it was unanswered, a very strong point against the Bill. But the hon. and learned Gentleman the Attorney General for Ireland got up immediately afterwards, and said the Government were well aware that the proposal was open to an objection of that kind; but that their object was to obtain an absolutely impartial Chairman, and that they were thoroughly willing to consider any suggestion that might be made on that subject. My right hon. Friend the First Lord of the Treasury reminds me that he made the same statement on the First Reading. The

Attorney General for Ireland said they would be willing in Committee to accept any Amendment that would carry out this object. Coming back to the Standing Joint Committee, I want to point out that it makes all the difference in the world, in regard to the criticism of the Bill, whether this Standing Joint Committee, which it is alleged is to have control of the County Council, is really to consist of a majority of landowners, or whether it is provided that if there should happen to be any difference of opinion between the representatives of the County Council and the representatives of the Grand Jury, it will be settled by a perfectly impartial arbitrator. In the one case there would be a serious objection to the proposal; in the other it would be altogether a different matter. This particular point, therefore, shows how difficult it is, as I have said, to separate in a discussion on the Second Reading what is opposition to the principle of the Bill from what is really only a question of Amendment in Committee. I will try, and I hope I may be successful, to extract what seems to me the principles of the Bill, difference of opinion upon which would justify a vote against the Second Reading. I say the first principle is that it is desirable to extend to Ireland Local Government, by which, of course, I mean Municipal County Government, based generally on the principles of the Scottish and English Acts. With regard to the question of principle, if any hon. Gentleman or right hon. Gentleman does not agree that it is desirable to do that, then of course he would be justified in voting against the Second Reading, and we shall be perfectly willing to take issue with him upon it. I do not think it is quite clear what is the position of right hon. Gentlemen in reference to this matter. In the First Reading discussion the right hon. Gentleman the Member for Newcastle-upon-Tyne announced the reception which he and his Party were prepared to give this Bill, and said this—

"Our position is to welcome any measure which points in a liberal and conciliatory direction without compromising our opinion that reform of county bodies is hopelessly insufficient to meet the requirements of Ireland; but that this reform unless constructed on an almost unattainable scale would increase the difficulties of government in Ireland."

*Mr. Joseph Chamberlain*

In other words, the right hon. Gentleman says they were prepared to welcome any measure which pointed in a liberal and conciliatory direction; but the spirit in which they were prepared to welcome it was the spirit of their belief that it would be hopelessly insufficient to meet the demands of Ireland, and that unless it was conceived on an impossible scale it would be absolutely mischievous, because it would increase the difficulty of government in Ireland. The other night my hon. Friend the Member for South Aberdeen (Mr. Bryce), speaking also on the subject of this Bill, said—

"The only reform that would ever succeed in Ireland, and which would bear the fruits of peace and contentment, would be a reform enacted freely by Irishmen themselves for the free government of their own country."

If this expression of opinion represents the view of right hon. Gentlemen and hon. Gentlemen on this side of the House, then it is perfectly clear that they consider that any reform of Local Government in Ireland, unless it is accompanied by Home Rule, would be positively mischievous; and, as I say, that is undoubtedly a question of principle which I, for one, should be very happy, indeed, to discuss with hon. and right hon. Gentlemen, because the position which I understand the Unionist Party take on this matter is that reform of Local Government in Ireland is desirable on its own merits absolutely, without reference to the question of Home Rule. This proposal is not intended in any sense as a peculiar form of, or as a substitute for, Home Rule. It has nothing whatever to do with Home Rule. Whether we have Home Rule or whether we do not, still we shall require an efficient and satisfactory system of Local Government in Ireland; and I say we concede this to the people of Ireland, because we believe it to be good for Ireland, because Local Government is after all the most important concession which we can make to a people; it is even more important than Parliamentary Government. Local Government has more to do with the happiness, the health, the comfort, and the welfare of the population than the greater part, at all events, of the business which is carried on in this House. For the poor, especially it is of the greatest importance, because the character of their lives largely depends upon what is done for



them by the Local Government under whose control they live. Further, Local Government we believe has been proved to be in this country the best political education for the people; and certainly it appears to us that Ireland stands rather in need of further political education. And then, lastly, we say it is a fair demand which has been made on the part of Ireland, and one which we clearly concede, that there should be opened up for Irishmen in Ireland an opportunity of gratifying what I may call their local ambition. For all these reasons, which, as I have said, have nothing whatever to do with Home Rule, we are anxious to see this Bill passed, and we believe it will have very considerable beneficial effect in Ireland. The second question of principle, with regard to which I should be inclined to describe a difference of opinion as justifying the rejection of this Bill, is this, that the grant of these liberties in Ireland must be accompanied by securities that they will not be abused. Well, I should like to ask, is there a difference between the two sides upon that point? I want to know do right hon. Gentlemen on this side, who are going to vote against this Bill, say that no securities are necessary? If so, they are extremely inconsistent, because most undoubtedly their whole previous course of action shows that, in their opinion, securities would be necessary, if the concession were ever to be made. The right hon. Gentleman the Member for Newcastle (Mr. J. Morley) speaking at Newcastle said—

“The second thing about which I have never concealed my opinion is that I, for one, will never be a party to placing a minority and the property of a minority at the mercy of a majority, in case they should be inclined to deal lawlessly.”

That was said in 1886, and no Irish Member below the Gangway complained of that statement as an insult to the Irish people. The right hon. Gentleman the Member for Newcastle contemplated as a possibility what every sensible and reasonable man must contemplate, that if Local Government is given to the Irish people these powers might be abused; and he said he, for one, would be no party to placing the minority and the property of the minority in the hands of the majority. I do not want to multiply quotations; but again I say I take it for granted, until I hear to the

contrary, that the right hon. Gentleman and those he ordinarily acts with have not changed their opinions—that they believe securities are necessary, and, consequently, upon this point, at all events, there need be no difference of principle.

MR. J. MORLEY (Newcastle-upon-Tyne): I think you will find I was speaking on the subject of Home Rule.

MR. JOSEPH CHAMBERLAIN: The right hon. Gentleman was speaking, on the occasion of the speech from which I have quoted, in reference to Home Rule; but it appears to me that the same principle applies exactly to Local Government. If the majority in a Home Rule Parliament would be likely to, or if it would be possible that they should, abuse their powers to the disadvantage of the minority, *à fortiori* the members of a Local Government Body or a County Council may most probably fall into the same errors. But here is a statement which makes it still more clear. In June, 1886, referring to a plan for the extension of municipal and provincial administration such as this, the right hon. Gentleman said—

“Such plans unite the greatest means of mischief with the smallest promise of blessing.”

That is consistent with the opinion of the right hon. Gentleman that no reform of Local Government is desirable unless it has been preceded or accompanied by Home Rule. Then he goes on to say—

“They” (that is the plans for Local Government) “open a wide power for injustice on the part of the many to the few; it will increase the opportunities for intolerance of class and of religion.”

Well, that is exactly what I say. There is no reason for thinking that it would be a necessary consequence, but a possible consequence; and I venture to think that if it would be admittedly a possible consequence, it will be admitted by the right hon. Gentleman himself that it ought to be provided against. The Government surely would be failing in its duty altogether if it did not take some security against this possible abuse. They have been warned by the representatives of the Nationalist Party that they will abuse any concession of the kind. *United Ireland*, at the time when it was the organ of a united Party, said—

"We will unscrupulously use every position that we capture in Ireland as a Home Rule factor to drive the enemy unsparingly off the ground."

I do not say whether this threat would be carried out; but I do say that there is the intention clearly expressed—the oppression which the hon. Member who preceded me said he could not understand is there clearly pointed out—the oppression of the minority, which should be absolutely driven off the ground. Now, I want to ask, is it agreed, or is it not agreed, that it is desirable to give Local Government—full, complete, and effective Local Government—to Ireland; whether we are willing to give Home Rule or not? And, secondly, is it agreed, or is it not agreed, that if we give full, complete, and effective Local Government, we should have some securities that the powers would not be abused? If it is so agreed, then, so far as I can see, there is no difference of principle; and there is no reason why hon. and right hon. Gentlemen should not agree to the Second Reading of this Bill. There is only one other reason which, I should say, would justify a vote against the Second Reading of this Bill. It may be said, it has been said by some speakers, that although they are in favour of the extension of Local Government to Ireland upon British lines, this Bill does not fulfil its promise, and is not on British lines; and although they consider safeguards are necessary, the particular safeguards which have been selected by the Government are so absolutely intolerable in their character that they are not even worthy of a moment's consideration or of amendment in Committee.

SIR W. HARCOURT (Derby): Hear, hear!

MR. JOSEPH CHAMBERLAIN: Then we regard that as being a question of principle which divides us. Under these circumstances I will consider as briefly as I can whether this Bill is on British lines, and whether the safeguards are intolerable and unreasonable. I must say that I shall do so with much greater pleasure because I hope to convince the right hon. Gentleman the Member for Derby; but I cannot help believing that, like the right hon. Gentleman's colleagues, he is practically against the *idea of Local Government at all, without, as I have said, the previous*

*Mr. Joseph Chamberlain*

concession of Home Rule. I can well understand what an outcry would have been raised if we had proposed bodily to transfer either the English or the Scotch Act to Ireland. It would have been said—"Through your profound insolence and contempt for Irish opinion you have proposed to put in this Bill provisions which may be good enough for you, but which our intelligence absolutely rejects." But it was pretended, it was declared, that the Bill has been at all events based upon the lines of this legislation. As I am going to deal with the safeguards later, I shall consider first what I may call the enabling portions of the Bill, that is to say, those portions of the Bill which deal with the character of representation and with the transfer of functions. So far as the character of the franchise is concerned, practically every man paying rate, great or small in Ireland, will be entitled to an equal vote—one man one vote—in dealing with these local affairs. There is precisely the same provision in the English and Scotch Acts. It is true that there are two new provisions. ("Hear, hear!") Very well, they are the only things you object to. There is the provision as to the cumulative vote. I am not going to defend that. I am absolutely opposed to the cumulative vote. I believe it would only irritate the majority and offer no protection to the minority; and therefore if this Bill gets into Committee I will support any Amendment, whether moved by hon. Gentlemen below the Gangway, or any other hon. or right hon. Members, to cut out this cumulative vote provision. But nobody can pretend that the introduction of the cumulative vote into the Bill is a question of principle which would justify the language of the hon. Member who has just sat down or the rejection of the Bill on the Second Reading. Then as to the question of the illiterate vote. Now I speak I hope with modesty, and I ask Irish Members below the Gangway is this a matter of great importance? How many illiterate voters are there in Ireland? I know there are a great number of people who claim to be illiterate voters, but nothing will make me believe that the illiterate voters can be so very numerous amongst a people so intelligent. You will say that their education is not so good as ours; but they had a good system of education before we had ours,

and therefore I do not believe that the proportion of illiterate voters can really be so much greater than it is in England—and remember this is not a question of reading and writing, but that they are so illiterate that they cannot mark the ballot paper; and I say that the number of illiterate voters cannot be a matter of consequence as regards the question of franchise. This Bill does not propose to disfranchise anyone. That is not its object. The Bill proposes to protect the voter from intimidation and to maintain the secrecy of the Ballot. Well, I repeat as regards the question of franchise that this is not, as I have shown, a serious matter. The franchise is as democratic, as complete, and as full as anything we have in England or Scotland. I now come to the transfer of functions. As regards the transfer of functions, will it be believed that with one exception, which I shall deal with directly, the transfer of functions is wider than it is either in England or Scotland? In the first place—I do not lay stress upon this, but it is a very important fact, that this Bill will give to the Irish people control not merely over the County Councils, but over District or Baronial Councils—a thing which we have been promised, but which England and Scotland have still to continue to wait for.

MR. TIMOTHY HEALY (Longford, N.): What can they do?

MR. JOSEPH CHAMBERLAIN: What can they do? Well, they can do what District Councils can do. I am not dealing now with the question of what they can do, but with the comparison between this Bill and the English and Scotch Acts; and I say that in this respect—though I do not lay very much stress upon it—the scheme is comparatively wider and more liberal than that of the English and Scotch Acts. But that is not all. The County Councils in Ireland, in the first place, can deal absolutely—with a slight exception which I shall refer to later—with the whole of the annual expenditure of the county. That is precisely the same power as exists in the English and Scotch Acts. The whole of the ordinary annual expenditure will be placed under the control of the majority of the ratepayers. Not only so, but these bodies are to be given certain powers which are not possessed by either the English or Scotch County Councils, such as the care of woods and forests,

the administration of the Factory Acts, and what is of the very greatest importance, the control of the sanitary legislation. It is alleged that an exception has been made in the case of the control of the police, because it is said the County Councils will not have control over the police; but the County Councils in England cannot control the police. The control over the police is given to the Joint Committee.

MR. SEXTON (Belfast, W.): Not altogether.

MR. JOSEPH CHAMBERLAIN: Yes; practically the control and responsibility of the police is given to the Joint Committee. In London, where there is a great Local Body, we know that the control over the police is retained by the Imperial Government. Well, what happened in the Home Rule Bill? Even in the Home Rule Bill of 1886 the right hon. Gentleman the Member for Midlothian thought it necessary to reserve the control of the police, at all events for a time. If he thought it necessary in a Bill of that kind to withhold the control of the police from such an important body as the Irish Parliament, *a fortiori*, there is some ground for withholding it at the present time, at all events, from the County Council. But my point is that, contrasted with English and Scotch Local Government, there is not so much difference. In neither is the control of the police given to the popular authority. But it would be a monstrous absurdity to reject a Bill which transfers fully and completely every function which is at present performed by a selected local body to a popular Democratic representative body, because the Act which makes this great concession and change does not at the same time transfer to the popular body a power which never has been enjoyed by any selected body in Ireland up to the present time. It would be to make an entirely new departure, and whatever there may be to say for it, clearly this is not the time, and clearly a fact which is not germane to the immediate question which we have under consideration, should not be imported into the Debate, in order to constitute a case of objection to the Second Reading of the Bill. I say, then, that, so far as the transfer of functions go, they are sufficiently complete, and they may even be described as being fuller than those which are

enjoyed by England and Scotland. I come, however, to the safeguards which have been proposed. Now, I have said I assume that it will be admitted in all parts of the House that it is reasonable and right that some kind of securities should be provided. All we have to consider is whether these securities are entirely unreasonable—so unreasonable that it is not worth while, it is not even right and proper to consider them in Committee. Now the first remark I have to make is that all these securities are potential securities. The actual effect of them will, in practice, I believe, be almost *nil*, and almost insignificant. They are not conditions which guard the use of these powers, but they are precautions which are only to come into play if the powers are abused. If the Irish County Councils elected under this Bill will carry out their duties, as I hope and believe the vast majority of them will, with the spirit with which similar duties are carried out in County Councils and Town Councils in England and Scotland, these precautions, will hardly ever come into play at all. Now, what are the precautions? In the first place there is the clause to which so much objection has been taken for the arraignment of a Council in case it is guilty of corruption, of malversation, or of oppression. That is a clause which has been described again and again as an insult to the Irish people. Where does the insult lie? Does it lie in supposing that possibly one of these bodies at some time or another may be guilty of malversation, of corruption, or of oppression? Such things have been known before with popular representative bodies in England and in Scotland. They have been known in Ireland. During the administration of Lord Spencer and the right hon. Gentleman the Member for Bridgeton (Sir G. Trevelyan) ten Boards of Guardians were suppressed. I suppose the right hon. Gentleman the Member for Bridgeton will not say they were wrongly suppressed; I suppose he had good reason for suppressing them. I suppose he suppressed them either because they were corrupt or because they were oppressive. I ask him to say, if he did not suppress them because they were corrupt and oppressive, why did he suppress them? Does he *think now they ought not to have been suppressed?* I have no doubt whatever

*Mr. Joseph Chamberlain*

that they were rightly suppressed. If Boards of Guardians have been rightly suppressed, why may not a case arise in which—

MR. TIMOTHY HEALY: Why have you not got it in England?

MR. JOSEPH CHAMBERLAIN: The hon. and learned Gentleman is in too great a hurry. I hope he will let me pursue my argument, and in due course I will tell him what we have in England. Where is the insult, where would there be any greater insult, in suppressing County Councils than in suppressing Boards of Guardians? As far as I have heard up to the present time, it has never been considered an insulting or an offensive act to the Irish people that in these exceptional cases some of these Boards of Guardians have been suppressed. If it is admitted that an abuse of this kind against which the clause is intended to be a safeguard might take place then there is no question of principle, and the only question is as to the method. My hon. Friend the Member for Aberdeen (Mr. Bryce) said the other night that his objection, as I understood him, was not to some safeguard, but it was to the safeguard adopted. He said, "Why do not you remain content with the general law of the land; why do you introduce a novel and exceptional mode of procedure?" I think that is a question fairly open to argument. But what is the general law of the land? The hon. and learned Gentleman asked me what happens in England. In England every Local Authority—Town Council and County Council—is amenable to a Court of Law for its acts. I will take as an instance the Municipal Act of 1882—only passed ten years ago. There is a clause in that Act which is quoted from a similar clause in the Municipal Corporations Act of 1835—

"Every Order of the Council for the payment of money out of the Borough Fund may be removed into the Queen's Bench Division of the High Court of Justice by writ of *certiorari*, and may be wholly or partially disallowed or confirmed, with or without costs, according to the judgment and discretion of the Committee."

In England there is a provision which gives a Court of Law the right to have arraigned before it any act of a Town Council involving the payment of money, and to decide, absolutely at its own judgment and discretion, whether that



payment shall be disallowed or confirmed partially or in whole. Now, I go a step further. Supposing that the Court having done that—and there are cases in which this clause has been resorted to—supposing the Court decide that the action of the Town Council has been improper, that the expenditure has been illegal and corrupt, and thereupon asks that the resolution shall be rescinded; and suppose then that the Council is recalcitrant and refuses to obey, what happens then? The Council goes to gaol. Does the right hon. Gentleman the Member for Newcastle (Mr. J. Morley) prefer that method? Does he prefer that the Irish County Council, when it performs an act of corruption or oppression, shall go to gaol? Does he think this a less insulting provision than the provision of this Bill which merely says that the services of the Council shall politely be dispensed with? All I can say is, if that is the only difference between us, I do not see why we should not come to an agreement. I confess I am not so much enamoured of this clause, which brings in the two Judges, as not to be perfectly willing to substitute a clause which would, in the circumstances named, send the Irish County Councils to gaol, if they prefer that, for the clause that would make them give up their position as Councillors. The objection really seems to be a very curious one, because it is an objection to the intervention of a judicial tribunal. I have shown that so far as the intervention of a judicial tribunal is concerned the same thing is done, although, perhaps, by a rather different method, in England and Scotland as is proposed for Ireland; and if the method adopted in England is preferred I really do not see there is any sufficient importance attached, either on the Government Bench or anywhere else in this House, to this clause to prevent the objection being met as hon. Members may desire. The hon. Member for West Belfast (Mr. Sexton) left this clause alone, and I think he was very wise. He said he would not deal with it because it was too absurd. I have never known anything so absurd that the hon. Member has not been perfectly willing to deal with it in this House if he saw his opportunity. I am perfectly satisfied that, if his objection were so strong as he wished the House to suppose, *his speech* would have been

lengthened by at least an hour by an exhaustive examination of this clause and a most complete exposition of its entire folly.

MR. SEXTON: I did say that this clause put into the hands of two Judges the power to deal with matters not of crime, but of prejudice and of opinion, and the power to disfranchise electors.

MR. JOSEPH CHAMBERLAIN: I admit I do not follow the hon. Member, because the offences to be brought before the Court are offences of corruption.

MR. SEXTON: And oppression.

MR. JOSEPH CHAMBERLAIN: Yes, I know; but let us deal with them separately. There is no difficulty about corruption. Then there is the offence of malversation. Again, I say, there is no difficulty. Oppression, the hon. Member says, there also is; and the whole objection is to that word. It is for a lawyer to define that, if it is not defined; but if the difficulty of the hon. Member is that oppression is not defined, nothing can be easier than to put a definition in the Bill. (Cheers.) Is the fact that hon. Members below the Gangway, and apparently hon. Members above the Gangway, do not understand what the legal view of oppression is, a justification for voting against the Second Reading of this Bill, when, as I have said, they may be perfectly certain that a majority of the House would be perfectly willing to insert any satisfactory definition which may be proposed from this side? My point with regard to this clause is, that some security of the kind is absolutely necessary; that this is a provision which is less stringent than the practice in Ireland and in Scotland, and that if the practice of England and of Scotland is preferred, there is no earthly reason why it should not be substituted. Now I come to what the hon. Member for West Belfast attaches the greatest importance to—I mean the functions of the Standing Joint Committee. The hon. Member described his conclusions in a sentence when he said that the County Council would be “the drudge, the scullion, and the serf” of the Standing Joint Committee, which would be a Committee, so far as its majority was concerned, of landowners, and that consequently the County Council would in almost every act of its existence, except

in breaking stones or the destruction of dangerous insects, be at the mercy of a Committee of landlords. I was very much surprised, I admit, by his speech. I have since examined the Bill most carefully. I have taken pains, by inquiry of those with knowledge of municipal practices and law, to ascertain what will be the effect of the Bill; and I say, without hesitation, that the statement of the hon. Member is a gross caricature. Let us see. In the first place the Government have already told us that they will accept an impartial Chairman.

MR. TIMOTHY HEALY : Cecil Roche.

MR. JOSEPH CHAMBERLAIN : Who is he? No, that kind of interjection is really not argument. Surely it must be possible—I do not know—to find an impartial man in Ireland; but if the wit and intelligence of hon. Members below the Gangway can find an impartial man who would be fitted to be the chairman of a body like this, we know that, in principle at all events, there would be no objection on the part of the Government. We have that assurance from them. Therefore, in dealing with this thing, it is nonsense to argue as if it were a majority of landlords we have to do. Supposing the members of the Committee were divided and their interests were divided; we are dealing with a body in which the balance will be held by someone who, *ex hypothesi*, is to be impartial. But in the second place it does not appear to me that the representatives of the Grand Jury can fairly be described as landowners. They may be, but they may not; as a matter of fact, as I understand it, they are intended to represent, not landowners as such, but the largest payers of cess. They may be occupiers, and I believe, in a great number of cases, are. ("No!") At all events, the hon. Member for West Belfast, in piling up his objections to this clause, told us that the landowners did not pay the cess, and therefore this control of landowners who did not pay cess would be exercised over the conclusions of the representatives of the ratepayers who did pay. But if the landowners do not pay, then they will not be the representatives of the Grand Jury in this case, because they would not be the largest cesspayers or the representatives of the largest cesspayers.

An hon. MEMBER : They are now.

Mr. Joseph Chamberlain

MR. JOSEPH CHAMBERLAIN : No; the representatives of the Grand Jury will act on this Committee as the representatives of the largest cesspayers. Does this House consider, I should like to know, no special protection is due in Ireland to the largest cesspayers? The state of things in Ireland is altogether exceptional, and, as far as I know, has no parallel in this country. Speaking generally, all over Ireland five per cent. of the cesspayers pay fifty per cent. of the cess. Now that is a most extraordinary state of things.

MR. TIMOTHY HEALY : Where did you get that?

MR. JOSEPH CHAMBERLAIN : Never mind where I got it. I assert it, and if the hon. Member would like particulars for any county or barony in Ireland I will give them.

MR. TIMOTHY HEALY : Give us one case.

MR. JOSEPH CHAMBERLAIN : The hon. and learned Gentleman is so extremely moderate that I must gratify him. I will take a case at haphazard from any page of this Return. Shall it be the second or the third, or which will he choose? I will take one on chance. Here it is : Province of Leinster, Queen's County, Barony Clonmellagh, five per cent. of the ratepayers pay 57·3 of the cess. Barony of Clonmellagh, 5·6 of the ratepayers pay 49·7 of the cess, and so on. I believe, with one exception, in the County of Meath, where the circumstances are peculiar owing to the largeness and the fewness of cesspayers, the same result will be found all over Ireland—in many cases much more extraordinary than I have given. In one case two per cent. of the ratepayers pay 50 per cent. of the cess. This is my point—as reasonable men do we think that no special consideration whatever is due to persons who, being very few in number, pay so large a proportion of the total rates? Is there no danger that, unless some protection is given to them, there may be an inclination on the part of the majority to spend money which is to a large extent not theirs but that of the minority for purposes which really are hardly justifiable? If any consideration whatever is to be shown to those large cesspayers it is almost impossible to give it in a form less considerable or more insignificant than that which is contained in this Bill. Now I take issue directly with the hon. Member for West

Belfast. Here is one point to which the hon. Member who sat down last has not made the slightest reply, although it cuts almost the whole ground from under the feet of the hon. Member for West Belfast. The County Councils have control over the whole annual expenditure in a county, and that amounts to 97 per cent. of the whole. They are absolutely uncontrolled by the Standing Joint Committee with regard to 97 per cent. of their expenditure; and the only expenditure over which the Standing Joint Committee—of which we are told that the County Council is to be “the drudge and the scullion and the serf”—is to have any control is three per cent. Was ever such an extraordinary argument based upon such a slender foundation? But that is not all. In its main features there is something similar in our English and Scotch legislation. What is the fact in England and Scotland, where the case is not nearly so strong? In Scotland I believe there is a Joint Committee, with functions almost identical with those of the Irish Committee. As regards England, every loan, or every application for a loan for capital expenditure, has to receive the assent of a Government Department, the Local Government Board, and that assent is only given after the holding of a local inquiry. Therefore, as between Scotland and Ireland, there is identity in the two systems; and as between England and Ireland the object is the same, although the method is different. For my part, I am bound to say that I think I should prefer the system of the Joint Committee to the present English system, which forces us to have recourse to the Local Government Board, or, in the case of a Town Council, occasionally to the Home Office or to the Treasury. But the main point is that some protection is afforded to large ratepayers that their interests, and, above all, their future interests, shall not be pledged and mortgaged without some chance of appeal from the County or Town Council. The same remark applies to the provision which requires the consent of the Joint Committee to the opposition directed against Parliamentary Bills. I do not know how this is in Scotland. I suppose that there it is controlled by the Standing Joint Committee. But in England a Town or County Council has to get the authority of the Local Govern-

ment Board. The hon. Member for West Belfast made on this point an extraordinary statement which struck me at the time. I was almost aghast at the idea that the Bill should contain such provisions as he represented. He said that the control of all litigation was given to the Standing Committee, so that even a County Council could not even prosecute a man for a nuisance without asking the consent of this body. Of course a state of things of that kind would be perfectly ridiculous, and would make the Bill so cumbrous as to be unworkable. But nothing of the kind is contained in the Bill. This provision does not apply to what may be called ordinary prosecutions or litigation. The County Council will have those general powers under which they will be able to take all steps necessary to enforce the Public Health Act, the Artizans' Dwellings Act, and all the other Acts under which it has control; and the only object of this section—which the Government, I would suggest, may cut out if there is no objection—is enabling; that is to give power to the County Council, if they get the assent of the Standing Joint Committee, to promote exceptional and extraordinary litigation.

MR. SEXTON: There is nothing in the section about extraordinary or exceptional litigation.

MR. JOSEPH CHAMBERLAIN: No; but I have taken the best possible advice on this subject—I have gone to the highest authority on Municipal Law—and I am assured that as that clause stands there is no doubt whatever that the County Council have full powers for all ordinary litigation connected with the carrying out of the Acts entrusted to their charge. There is another point taken by the hon. Member. He said—and the hon. Member for North-East Cork (Mr. W. O'Brien) repeated the statement—that the County Council would be unable to appoint or to remove the smallest officer without the consent of the Standing Joint Committee. Why, what is the real state of the case? Clause 52 deals with this subject, and says—if the hon. Member does not understand it, any lawyer will tell him this is its construction—that at the outset the County Council shall prepare a scheme showing the number of officers they want to employ, their functions, and their salaries, but not their persons.

When that scheme has been approved, then the County Council has absolute power over the patronage. No one can say one word as to the choice of the persons; and the list of patronage is wide enough to gladden the soul even of an Irish Member. And then the hon. Member says that the County Council cannot dismiss these officers after they are once appointed. With the exception of two officers, for whom there is much to be said for the protection of their offices and the safeguarding of their positions—the county secretary and the county surveyor—Sub-section 8 of Clause 52 says they may appoint, dismiss, and I think reduce, any single one of their officers. They have as absolute power as any County Council in England, and the whole case of the hon. Member for West Belfast is based upon an entire misconception and an entire misreading of the effect of this clause. Under these circumstances the power of this Standing Joint Committee is so extremely limited and so extremely insignificant that I do not very much wonder that the hon. Member for South Antrim said that if the Bill got into Committee he should wish to extend it. I beg to impress this upon my hon. Friends, that the power of the Standing Joint Committee is confined to a power over three per cent. of the actual expenditure, and that the whole object of this clause, the whole advantage of this precaution, is not to give control over what I have called the ordinary work of County Council, but to prevent the possibility, which everyone must admit to be a possibility, of a County Council either through folly or perhaps deliberate intention, engaging in large capital expenditure in which the interests of future ratepayers would be mortgaged and seriously interfered with. I must apologise to the House for having detained it so long. My examination has been necessarily one somewhat of detail, but I have been obliged to go into detail in order to follow the arguments, as I have endeavoured to do, of hon. Members from Ireland. Now I assert it is impossible any reasonable man can maintain that, if the statement which I have made as to the effect of this provision is correct, it constitutes anything offensive or insulting to the people of Ireland. No, Sir, the real objection to this provision is that hon. Members below the

*Mr. Joseph Chamberlain*

Gangway think that it will be effective. *United Ireland* two or three years ago said that the grant of Local Government to Ireland by the British Government would “sell the pass” as effectually as a Home Rule Parliament. Now this Bill does not sell the pass, and that is the great fault of it in the eyes of the Irish Members. I feel that the opposition to this measure is an electioneering opposition. It is all very well for hon. Gentlemen to come here and say that they regard Home Rule as the only remedy for the grievances of Ireland. It is all very well for them to object to the removal of any one of these grievances by any means whatever. The fewer grievances there are the less will be the demand for Home Rule. I doubt whether the people of Ireland share the well-simulated indignation of certain of their representatives with regard to the Bill. I am certain that the people of Ulster do not, and they deserve some consideration. They say indeed that they would welcome the Bill.

**MR. MAC NEILL (Donegal, S.):** A section of them.

**MR. JOSEPH CHAMBERLAIN**  
Well, a section which represents the majority of the people of Ulster. The representatives of that section come here and say that their constituents would welcome it, and I do not think that the constituents of the hon. Gentlemen below the Gangway are so indignant as they are represented to be. I believe that if this Bill were passed they would make a good use of it—that they would rejoice in the new liberty that would be conferred upon them; that in the great majority of instances, at any rate, the same results would follow which have followed the granting of a similar measure for England and Scotland; and that the whole of the people of Ireland would take a far greater interest in their local affairs. It may be impossible to carry this Bill through Committee in a Session like the present, but it would not be at all impossible if hon. Members would imitate the spirit of the hon. Member for North East Cork, who said he would like it to be passed even without discussion.

**MR. WILLIAM O'BRIEN:** If you will give us the Dissolution. Will you?



MR. JOSEPH CHAMBERLAIN: I am not in a position to answer that question, but I say this: I think it is a most liberal offer, and I call the express attention of Her Majesty's Government to it. If I were sitting on those Benches and in a position of authority, I should say without hesitation, "I will close with the hon. Member. Give us this Bill without discussion or with such discussion as is reasonable and fair, and we will give you a Dissolution immediately." I am sure the Government would like to know how far the views of the hon. Member are shared by other hon. Members below the Gangway. In the meantime I say that the production of this Bill is a fulfilment of the pledges of the Unionist Government, and that it enables us to point out to the people of this country that the greatest obstacles against progress in Ireland are the Home Rule policy and the Home Rule Party.

(6.5.) MR. TIMOTHY HEALY (Longford, N.): I think I have heard the speech of the right hon. Gentleman who has just sat down a hundred times before. I have never heard him make any but that speech on any capital measure proposed by Her Majesty's Government with respect to Ireland. What happens is this. The Government bring in a Bill. Its proposals are attacked, and the Government get into distress, and then of course "a friend in need is a friend indeed." The right hon. Gentleman the Member for West Birmingham gets up and makes his speech. I heard him make a speech on the Coercion Bill of 1887 in almost identical terms, and also on the Parnell Commission Bill of 1888. This is his stock speech, and whenever the Government want such a speech I think I could make it for them. The right hon. Gentleman first says, of course, that there are one or two points on which he is bound to differ from the Government, and then he proceeds to develop the Bill. He trots out the horse and shows you his beauties. "It is true," he says, "that the horse has certain vices," and this, that and the other; "but are you going to refuse to purchase the animal because of such small vices, which can be taken out of him by a little exercise?" He afterwards says that if hon. Members will bring forward a temperate Amendment he will support

it in Committee, but when the time comes for the Amendment to be brought forward, where is the right hon. Gentleman? I remember on the Parnell Commission Bill there was some proposal to define the charges and allegations. Where was the right hon. Gentleman? I think he was at Washington on that occasion. It invariably happens that he has sufficient Radicalism left in him to condemn some obnoxious points in the measure, and he says that he will vote for their removal, but they are not removed, and the Bill ultimately passes into law with the benediction of the right hon. Gentleman. Then, again, he is always modest with regard to his knowledge of the subject. He has always some Hurlbert to whom he refers as his authority. You remember that Hurlbert was his great authority five years ago with regard to the Constitution of West Virginia when he recommended its adoption for Ireland. He has gone to the highest authority on this occasion, the hon. Member for South Antrim (Mr. Macartney). The right hon. Gentleman said, with respect to the "put-them-in-the-dock" clause, "If you will accept for Ireland what already exists in England I shall be glad to support as an alternative that the power of *certiorari* be given in the case of Ireland." But will the House believe it?—the power of *certiorari* already exists in that country with regard to the Grand Jury system, and it is continued in this Bill. Therefore, he would give us what we have already. I do not know why the right hon. Gentleman always resorts to the enemies of the Irish people for his information. He goes to his Hurlberts and his Macartneys to back him up, instead of to those who are most intimately acquainted with the subject. The accuracy of almost every proposition in his speech traversing the arguments of the hon. Member for West Belfast I deny. In the first place I would ask—why should there be a Standing Committee at all for Ireland? The right hon. Gentleman the Member for West Birmingham said it was necessary, because five per cent. of the ratepayers in Ireland pay fifty-seven per cent. of the rates. He assumes that it is the landlord who pays the rates, but it is not; and it is not the five per cent. of the ratepayers who would be represented on that Committee. Land farming in Ireland is such a profitable business

that the landlords hold no land of their own—they let it out amongst their tenants. They pay no cess except for the land in their own hands, and, speaking generally, I say that the Standing Committee would no more represent the ratepayers of Ireland than would the Council of the Mikado of Japan. Now, I have never taken a strong view with regard to minority representation in Ireland. So far from being opposed to it, I have always been anxious for such representation; but it is not fair representation they want—it is absolute power, and unless they get it they take no interest in the working of local affairs. I should be delighted, in fact, if a scheme could be provided whereby the minority could be properly represented. But we have to deal with the Government plan, which is one to perpetuate the Grand Jury system; and I say that no plan will be satisfactory that does not give some elective body the power of dealing with the question of malicious injury. Why did not the right hon. Gentleman deal with it? I contend that the Tory Party were more liberal in this respect in 1878 and 1879, when they were an undiluted Party, than they are now, when they have the support of the Unionists and the right hon. Gentleman the Member for West Birmingham. It is true that in the Bill of the right hon. Gentleman the Member for the Isle of Thanet there was no distinct principle of election, but he allowed in it half the Grand Jury to be drawn from the elected representatives of the Boards of Guardians, and it gave to these elected bodies, among many other powers, that of dealing with the question of malicious injury. Since then, it is true, the Grand Jury have had additional powers given to them. But now the Government propose to allow only the Joint Committee to deal with capital expenditure. Therefore I say that I infinitely prefer the Bill of 1878 to this Bill. I would now ask the right hon. Gentleman the Member for West Birmingham why has the subject of malicious injuries, which is connected with the reform of the Grand Jury system, been omitted from this Bill? Does he not know that at every Assize that which creates most gall in the public mind is the mode in which the Grand Jury deal with the question of malicious injury? Yet, the right hon. Gentleman has

*Mr. Timothy Healy*

ignored this point altogether. No Local Government Bill will be of any value for Ireland unless this question is fully and adequately dealt with. None but the Tory Party would propose to continue such an anachronism as that of the Grand Jury system in Ireland. It is a system which is rotten from top to bottom. I say abolish the Grand Jury system for all purposes. There is no need now for the finding of true bills. The Attorney General well knows that no prisoner will be in the least injured by the abolition of such a system of indictment. The right hon. Gentleman the Member for West Birmingham has said that the Grand Jury represent the higher ratepayers. I say they represent no one. He takes the point that in Scotland the Commissioners of Supply are analogous to the Grand Jury in this case. Yes, but in Scotland the landlord pays nearly the whole of the cess, so that in Scotland it is right that the Commissioners of Supply should continue to have the chief representation and control. There is practically no way of impeaching the Grand Jury in Ireland. There is no satisfactory way of challenging it so far as I know. It consists of twenty-three men whom the Sheriff may choose to put upon it. He may select twenty-three men from the butler's hall; twenty-three coalheavers from the quay; or even twenty-three paupers from the workhouse or twenty-three lunatics from the nearest asylum. I say therefore that they represent nobody but the Sheriff. These twenty-three men are put upon the jury for the purpose of counterpoising the elected representatives of the people. Is that the case in Scotland? There the Commissioners of Supply have an historic reason for their existence, and they represent the people who pay most of the rates. The landlord there pays half—I am told that he pays nearly the whole. But in Ireland the Grand Jury neither represent the higher ratepayers nor the minority—only the Sheriff. Suppose that to-morrow the Liberal Party come into power and appoint a succession of Attorney Generals as Judges. Supposing they do not take the view of the loyalist minority, but appoint popular Sheriffs. These Sheriffs might appoint twenty-three members of the Local League or Federation, and where would then be the protection of the loyal minority? If you want to protect the higher ratepayers

or the loyal minority you should give them some independent mode of election. The right hon. Member for West Birmingham said that Local Government was more important to the Irish people than Home Rule. He said it affected the condition of the poor, and enabled the poor man to get some kind of decent government, and also enabled local politicians to obtain reasonable training in politics that would, I suppose, enable them to compete with the giant intellects sent here from Birmingham. We have not found that we were not a match for those on the Treasury Bench with whom we have had to deal, though we have not had the advantage of being Mayors or Aldermen of Birmingham. No doubt it is desirable that the Irish people should have more training in local affairs than they have hitherto had, but does this Bill give it to them? I anticipated that the right hon. Gentleman would, in recommending this nostrum to the Irish people, have told us how it would benefit the poor man. The main things that are wanted in Ireland are the very matters this Bill does not touch. We want some system for the improvement of agriculture, some system of forestry, some system to improve the breeds of cattle and poultry, some system for draining and improving the land, and some system dealing with the subject of labourers' dwellings. Does this Bill deal with those matters? Does it sweeten the life of the poor man in Ireland? Nothing of the kind. It is a purely artificial Bill, and its operation in this connection is confined to the breaking of stones, which my hon. Friend (Mr. Sexton) referred to. Those grievances which go to men's hearts, you are wholly unable to deal with in this Bill, so far as the elective principle is concerned. An impartial man has to be found who will hold the scales as between the Grand Jury and the representatives of the people. It is not, however, only one impartial man that you will have to find. Diogenes will have to look for thirty-two of them. No doubt we might find one impartial man. I could find one in this House; he is sent here from Birmingham. Men of his calibre are exactly what we want in Ireland, if we could only get them. But unfortunately the country does not breed them. Our country—whether in the Orange districts or in

the Nationalist districts—Providence seems to have sterilised in the matter of producing impartial men of this kind. But we want thirty-two of them. We have eighty Resident Magistrates, and we know that they are all impartial men. We know the first Lord of the Treasury has fought many a sturdy battle in this House for their impartiality. It would give the House an idea of the way the Government propose to get impartial men if I tell the House a story. The Government have got one official in Ireland whom everybody respects, Sir Thomas Brady, the Fishery Commissioner. His whole life has been devoted to the interests of the poor, and of the poorest class of the poor—the seafaring class—and to trying to improve their lives and trying to procure for them better boats.

MR. W. JOHNSTON (Belfast, S.): Hear, hear!

MR. TIMOTHY HEALY: The hon. Gentleman (Mr. Johnston) was his colleague, and unfortunately in an evil hour I got him removed from his post, which I have infinitely regretted from that hour to this moment. Sir Thomas Brady had the misfortune to be over sixty-five years of age, and because he was a popular man with the people, hardworking, devoting his days and his nights to the service of the poor men, he was not exempted from the sixty-five years' rule, as were a number of old Tory fogies whom the people hated and despised. Why was he not exempted? Because the Government wanted to give away the job. And remember this fishery question will be one of the questions we shall like the Maritime County Council to deal with. To whom was it proposed to give this position? To the most odious man within the four seas of Ireland, Mr. Cecil Roche. These are the impartial men for whom the jobs of presiding over the County Councils are to be found under this Act. Why does not our Birmingham Diogenes give us some idea of where the thirty-two impartial men are to be found? From what sect, from what class of the community are they to be drawn? I believe we did have one Resident Magistrate in Ireland from Birmingham. He was appointed by the late Mr. Forster, and I believe he was a Police Commissioner who had been dismissed, or some dismissed official from

Birmingham. At any rate, will anybody tell me where these thirty-two men are to be found? The right hon. Gentleman (Mr. J. Chamberlain) tells us that he will support us if we find them. It is not our business to find them. What we say is this. The choice should be with the impartial people at large, and it is the duty of the people to have their likes and dislikes. The people of Birmingham like the right hon. Gentleman; the people of Connaught do not. Let the people make their own choice. Let the people of Birmingham choose the right hon. Gentleman, and let the unenlightened people of Longford choose men like myself; and therein I maintain you have the only safety for working human institutions. Why do not Englishmen find out the necessity of these provisions for themselves? The right hon. Gentleman was very proud of his one ewe lamb, the power of *certiorari*; but I ask him why do not Englishmen need some system of Joint Committee, with one impartial man to preside, appointed by the Government? Why do not you feel the need, in your Anglo-Saxon souls, of impartial men? I should think, say in the town of Liverpool, at this moment you would be very glad of having an impartial man. I heard much bad language used between Liverpool men on Wednesday week about gerrymandering and about the oppression of the Tory Party for the last forty years. Why Sir, that reminded me of an Irish Board of Guardians. But nobody proposed—not even anybody from Birmingham—to nominate an impartial man to preside over these warring clans in Liverpool. It never entered the Anglo-Saxon mind. What they say is, “No, we prefer instead of having billeted upon us some official with the trade-mark of the lion and the unicorn, that he should have the brand of popular approval at the polls.” That is your own plan, not only in this country, but also in your colonies. It is only the sister island that requires to be wedded to impartial men. Sir, I denounce this whole system as a hypocrisy. We are as good as you are; we are as bad as you are, and we are no better and no worse. That is exactly the state of the case; and it is this system of erecting yourselves in a kind of hierarchical position and talking to us in a Cockney accent, that is so offensive. The right

*Mr. Timothy Healy*

hon. Gentleman tells us that this is a good Bill. What is it good for? What improvement does it make in the lives of the people? What withdrawal does it make of the powers of the oligarchy? I challenge the Chief Secretary (Mr. Jackson) to deny this—that every proposal for reform in Ireland has hitherto been objected to by resolution after resolution of the Irish Grand Jury Bodies, and that every proposal of coercion has been supported by resolution after resolution of the Irish Grand Jury Bodies. Well now, at the last Assizes of March the thirty-two Irish Grand Juries had before them this Bill, and from not one Grand Jury, from Antrim to Cape Clear, did a protest against this Bill go forth. Why? Because every one of them is satisfied with it; because it leaves them in garrison where they are. It does not touch a single one of their powers, and they know it and are satisfied with it; and because the Irish Grand Juries are satisfied with it I am not. I will take that as the test of the merits and value of this Bill. It is a Bill which has the hall-mark on it of these Grand Jury Bodies which it proposes to abolish, and tested by that test alone this Bill stands condemned and judged. The right hon. Gentleman tells us that there are securities in this Bill and that there were securities under the Home Rule Bill, and that while we object to the securities under this Bill, we did not object to those under the Home Rule Bill. But the Home Rule Bill was worth paying for. If we had to give securities, we got something worth taking. We were willing, and are willing, to give every reasonable security for the purpose of setting up in Ireland a decent and respectable system of Government, but we are not going to give securities for the purpose of having an odious sham and humbug set up in our midst. We wanted Home Rule, and we were willing to pay for it in securities. But we do not want this Bill we reject it, we are not prepared to give securities for it, and that is the answer to the whole question. What were the securities in the Home Rule Bill? If we were not to be allowed to set up a Crentz ascendancy, and we were prohibited legislation thereon. We say, Sir, if we give you that as security. If you not want control over the Army, paymen



Navy; the Bill said so, and we said **Amen**. Under the Home Rule Bill we had not power over garrison, or fortress, or arsenal, and we said, "All right, keep them, much good may they do you." And so on, dealing with a number of questions of that kind. We said it was right and proper, in dealing with an island which had been a subject of contention for 700 years, and which had excited statesmen and warriors during these seven centuries, that this House—especially in regard to a Bill that had to pass the House of Lords—should take some reasonable security such as those proposed in that Bill, and we are still of the same opinion. But what is the security wanted in this Bill for? Security against what? Who can these bodies oppress? Is it for breaking a few extra stones, as my hon. Friend (Mr. Sexton) pointed out? That is all they can do; and is a body to be solemnly indicted before two Judges if they break a hundred-weight of stones more than are thought sufficient for the roads? That is practically the whole power of the whole business. Then what about the oppression of the minority under the rates? The misfortune is that the minority do not pay the rates; I only wish they did. If there is any excess of rates struck, it is the majority who will have to pay them. It is astonishing to find that any catch-cry is good enough for English Tory audiences when they are dealing with Ireland. You say you want to protect the rates of the minority, thereby assuming that the minority pays the rates; but it is not the landlord but the common people, the tenant farmers, who pay the rates and who are the majority. What then becomes of your minority bogey? Is it to be propounded that the majority will mis-spend the rates which they themselves have to pay? I can understand the argument that the majority of the ratepayers do not pay the majority of the rates. Very well, adopt some provisions whereby those who pay the rates will have the control of them. We know the landlords do not pay the rates in the country. If you can invent any scheme whereby you will give the highest ratepayers, who are not a minority in the sense of a loyal minority or a Protestant minority, but in the sense of being a ratepaying minority—if you can invent a scheme for giving joint control

in this matter, I for my part am not in favour of challenging or denying the prudence of such a provision. But that is not your provision. You have started the minority bogey in relation to Home Rule, you have carried it into your Local Government Bill, which has nothing to do with it, and you blandly assume, with the right hon. Gentleman the Member for West Birmingham, that the minority in both cases is co-terminous. It is not so. The Bill is as a whole a worse Bill than the Bill of the noble Lord the Member for Paddington (Lord Randolph Churchill). The Tory Party have, like the crab, gone backwards. The provision about the two Judges did not exist in that Bill. The provision is an absurd and unworkable provision—it is not worth while spending time discussing it; and really I think my hon. Friend might be spared the taunt of not discussing a Bill which the Government themselves do not profess is going to pass. The House of Commons has for once fallen to the level of the Kensington Parliament. This is a mere debating society, and this is a debating society. Bill presented in dummy by the Government for debate, not only here but at the polls. It is by means of an academic discussion of this kind that the Government means to carry out the promises made in 1886 by the noble Lord the Member for Paddington (Lord Randolph Churchill). Perhaps I may be allowed to remind the House, not of the words he then used, but of the language he used in 1888 when he was challenged with having used these words. The point I make is this: the Government have been promising us for six years a Local Government Bill. They had not been promising the English people a Local Government Bill for six years, and they had not been promising the Scotch people a Local Government Bill, but England and Scotland each got a Local Government Bill. The Irish were promised a Local Government Bill from 1887 downwards, and it was the first measure promised in the Queen's Speech in 1887; but you have no more intention of keeping your word on this subject than King William had when he made the Treaty of Limerick. When in 1886 the noble Lord the Member for Paddington stated that Ireland could be governed without coercion and by the Local Government scheme which the

Government intended to pass, he meant every word he uttered; consequently he is no longer in the Cabinet. He promised a Bill with "Similarity, simultaneity, and equality"—and when challenged two years later he not only nailed his colours to the mast, but he nailed the Tory Party to it also. What did the noble Lord say. In vol. 391, page 586, 25th April, 1888, I find he is reported in *Hansard* as follows:—

"It has been supposed—and this supposition I have never before noticed, although it has been rather widely alluded to in the Press—that in the declaration which it was my duty to make at that Table in August, 1886, I was stating that which was much more my own opinion than the opinion of Her Majesty's Government. Sir, I think it right to say that that was not so in any degree whatever. The declaration which I made at that Table at that time was, as far as it related to Ireland, a written declaration. Every sentence of it—I might almost go as far as to say every word of it—represented the opinions of the Government, and had been submitted to, and assented to, by the Prime Minister himself, and by the Chief Secretary for Ireland of that day. More than that, that declaration I made with regard to Ireland—I recollect it as well as if I had made it yesterday—I made without one dissentient voice, and without one dissentient murmur being raised among the hon. Gentlemen who belonged to the Tory Party. More than that, I was given to understand, in the plainest way, that the declaration of the Government thus made received the full and entire approval of the Leaders of the Unionist Party."

What then was the pledge in 1886? It was a pledge that in the following year a Local Government Bill for Ireland would be introduced and passed into law. We have had a Coercion Bill instead. You passed Local Government Bills for England and for Scotland, and now three years later, at the close of a moribund Parliament, which you yourselves have stated you are going to dissolve next month—[Mr. A. J. BALFOUR: No.] You have not said so in so many words but you have hinted it by way of Votes on Account, by circumlocution and by messages to Press Associations, and by speeches at Hastings about Free Trade, and by incitement to civil war. You have shown it by providing money for a bogus convention in Belfast next month. Money for that purpose has been obtained from this country just in the same way as you allege our agitation is conducted by American dollars. It is

*Mr. Timothy Healy*

altogether of London and Birmingham manufacture. And then, Sir, the Government bring in this belated Bill six years after it was promised, and after they have kept their word to England and Scotland. I ask the House whether it is decent to bring in a Bill of this kind without intending to pass it into law? The First Lord says we are not to have a Dissolution next month. Does the right hon. Gentleman the Member for West Birmingham back that promissory—or rather non-promissory—note?

MR. A. J. BALFOUR: I said nothing about the Dissolution.

MR. TIMOTHY HEALY: Then we are going to have it next month? Let me meet you either way. Therefore, a Bill is brought in which you yourself cannot pretend is to be passed. It is brought in just before a Dissolution in order that it may serve as the skin of the Tory drum to be beaten in front of the ballot-box. There is no honesty, not only in the Bill itself, but in the mode of its introduction; and it is by these means, Mr. Speaker, it is hoped to make the Irish people respect British faith. Is it any wonder that British faith is a bye-word in Ireland, and that pledges given by Ministers in this House are regarded as dicers' oaths across the Channel? One of the ablest men in the Tory Party, the Member for South Paddington (Lord R. Churchill), declared in 1886 that by the following year Ireland shall have a Bill satisfying the requirements for Local Government in Ireland. He makes that statement from a written paper drawn up at a Cabinet meeting, and it is accentuated by cheers from the Tory Party fresh from their baptism at the hustings. The Government are now going back to the country which they have bamboozled by their pledges, not having carried out the scheme of Local Government for Ireland, which they declare to be pacified. After all, coercion is but a means to an end. It is valueless except in so far as it brings about the pacification and appeasement of the country. Either Ireland is contented or she is not; either she is a good subject for Local Government and the blessings of freedom or she is not. If she is, why do we not get it? This Bill has no life. It is not pretended that it is intended to be passed, and I venture

to say that you cannot even gull your own electorate in England by telling them that this Bill is any fulfilment of the pledge made by the noble Lord on behalf of the Government in 1886. This Bill, and the way in which it was introduced, furnish one more lesson to the Irish people of the fact that so long as a Government is powerful enough to defy its pledges it has not even a blush for breaking them, and that the only thing which passes through this House with celerity is a Coercion Bill. Such a Bill runs down an incline plane in the House of Commons and with railway speed through the House of Lords. An ameliorative Bill, like the rolling stone of Sisyphus, has to be pushed up a hill; and the task, like the promises of five years ago, is never carried out, although the approach of a Dissolution may give a little stimulus to it. I venture to say that the pretence of the Government on this point no longer deceives the humblest elector in this country, and certainly so far as Ireland is concerned I do not think in any Nationalist constituency there would be even one voice lifted up to raise the cry of "More power to Balfour's elbow."

\*(7.8.) SIR ALBERT ROLLIT (Islington, S.): I desire to say a few words upon this Bill, because I have had some experience of Local Government. And certainly I have never, in the course of my life, shared the doubt and distrust expressed by the hon. Member for Harrow (Mr. Ambrose) in reference to the extension of Local Government either in London or the country. I may also say that since 1885 I have consistently advocated Local Government for Ireland, and I maintain still that the extension to that portion of the United Kingdom of what has been found so beneficial in this country is eminently desirable. Experience in England and Scotland has justified this, and Ireland will also justify it. And I have still a strong feeling in favour of the views expressed a few years ago by the noble Lord the Member for Paddington (Lord R. Churchill), that the principles upon which Local Government should be extended to Ireland and England and Scotland should be those of similarity, and the treatment of the United Kingdom, as far as possible, as a whole. I also think that the tendency of its own friends to minimise the

importance of this measure is a mistake, both of fact and of policy. It is the last, and not the least, link in a practical programme of Irish remedial legislation, much of which has been accomplished, as I have myself seen in Ireland, and the rest of which could be secured by a wise and wide Bill for Local Government, ridding us of any reproach of inequality in our dealing with the sister country. Now, Sir, I confess that my first impression of this Bill was not one of perfect satisfaction. I know that there are hon. Gentlemen on this side of the House who shared my opinion, and I am bound to say that even now I cannot feel myself completely at one—at any rate on important points of detail—with those who have introduced this Bill. At the same time I have studied the Bill carefully, and I have endeavoured to come to an impartial conclusion with reference to its provisions, with the result that my first conclusions have been modified, and that I am at least clearly of opinion that it may be made into a good Bill, and that only some half-dozen Amendments will make it conform to the principles I have stated. The hon. Member for Longford (Mr. T. Healy) doubts the discovery of an impartial man. Well, Local Government may produce one, for I remember it once did so in a Mayor who, on first taking his seat as Chairman of the Magistrates, said that during his year of office he would do his best to be neither partial nor impartial. Now, Sir, I will first point out to the House that the basis, the backbone of the Bill—which is contained in the first three clauses—is absolutely identical with the principles upon which the English and Scotch Bills are framed. The first clause covers Ireland with County Councils in just the same way as these Councils have been established in England and Scotland. In the second clause the franchise applicable to County Councils in Ireland is practically the same as on this side of the Channel, an inhabitant occupier *plus* a rating franchise, including both owners and tenants as occupiers, and, of course, women. So far, I think, no exception can be taken to the Bill. In the next place there are none of those so-called safeguarding provisions which I think were at first, and wrongly, suggested in the case of the

English Local Government Bill—I refer to *ex officio* members and the property qualification, which were also comprised in the Bill of 1888. The only one point in which it differs—for the elections are to be, equally triennial—is in the filling up of casual vacancies. In this Bill it is provided that these vacancies shall be filled up by the Council itself. That is a difference concerning which there may be room for difference of opinion, and it may be an improvement, though I doubt it. Then, Sir, there is another point in which Ireland has a distinct advantage. The scheme of Local Government for England and Scotland has not yet been completed, but provision is made in this Bill for the creation of Baronial Councils or District Councils for Ireland, and so far the scheme has a comprehensiveness which the English one does not possess. This scheme, too, has another advantage over the English—and it is an advantage which I have claimed and again claim for this country—and that is, that the county and municipal boroughs are all treated as County Councils. There has been great friction in England with regard to the powers which the boroughs once had, and which are now absorbed by the County Councils, but in Ireland the boroughs have a separate County Council existence, which I think will be found advantageous, and to which I shall some time refer as a preference in favour of Ireland and a precedent. Well, now, I should like to say a word with reference to the powers conferred by this Bill. So far as I can judge, speaking generally, the powers possessed by English Corporations are extended to Ireland. The fiscal administration of the county—I will speak of the checks and safeguards later—is placed in the hands of the Council, as is also the administrative business of the county, and I would expressly point out that what is the bulk of the work in our English County Councils and which affects the health of the people and touches the home—I refer to sanitary administration—is properly confined to the County Councils under this Bill. Then the cess-payer has the control over the county expenditure, and some new powers which we are trying by Bill to get for England—*e.g.*, to contribute to charities and be represented through County Councils on

*Sir Albert Rollit*

the Governing Bodies. When I heard the hon. Member for North Longford (Mr. Timothy Healy) speaking of the want of powers, I thought to myself that this Bill conferred a list of powers which would afford a large scope for activity and demand a great sacrifice of time. The application of the Rivers Pollution Prevention Act is placed in the hands of the County Councils, and this would lead up to dealing with the fisheries, and no one can feel more than I do the paramount importance of developing that industry in Ireland. I do not think that anyone can visit the fishery school at Baltimore—the best fishery school in the British Empire—without feeling that Ireland has set an example to other nations in this direction, and that she deserves all the encouragement that can be given her. Then I think the hon. Member must have overlooked Clause 19 and other clauses which enable the County Councils to deal with woods and plantations and with forestry and agriculture. The question of agriculture is an especially important one to Ireland. I was in Denmark the other day, and there I fell into conversation about Irish interests with the largest exporter of agricultural products from that Kingdom, and he said to me that the great rival of Denmark in the future will be Ireland. Well, I believe that under the Bill the County Councils could provide for both practical and theoretical teaching on the subjects referred to; but if that is not so, I would urge that it should be done by the insertion of clauses in Committee; and I would remind the House that education is being improved by a separate Bill, and that the Government have done very much for the Irish teachers, as one of them reminded me at Rathmore. Yes, if we want education great, we must first make the education great. I could go on speaking of other powers conferred by this Bill, because they are undoubtedly numerous. If, however, it were pointed out that certain useful powers were lacking or inadequate, no one would more cordially support any Amendments towards supplying them than I. But, the machinery of County Government for Ireland being thus provided on the main lines of England and Scotland, I agree with my hon. Friend the Member for Mid Armagh (Mr. Barton) that the enfranchising powers



of this Bill should be considered apart from the safeguards, which I confess I should deal with differently from him. Limit, if you like, or destroy in some cases, the proposed safeguards, but do not let us destroy the whole Bill for the simple reason that there are points of detail on which we do not agree. These are matters which, if important, and even essential, are still capable of amendment in Committee. Well, Sir, I am very glad to find the disposition which has been evinced by the Government. They must know that there are differences of opinion among their own supporters on this matter. I do not forget Birmingham; and I believe that a considerable minority agree with me when I say that I approve most heartily the intimation of the Government that they are prepared to reconsider, and I hope concede, many points in the direction of greater similarity and equality, and so improve and strengthen the Bill. I trust, therefore, that we shall carry this Bill into Committee and discuss its details with an independent spirit, so that we may at such a time cease to do all for Party and unite in doing something more for the State. Now, with regard to the safeguards, though the necessity for some protection for minorities has been conceded by every speaker, including the Members for West Belfast and Longford, and in every Bill for the Government of Ireland, I think anyone who has had experience of municipal government will agree with me that restraints are always undesirable unless there is a supreme necessity for them. Safeguards have two disadvantages: In the first place, they may create friction; they may even be incitements to discontent; and so far from facilitating they may impede the transaction of public business. Another disadvantage of safeguards is that they are apt to prove artificial, and being so they are illusory and ineffective. Better rely on trust and a sense of public responsibility, on an improving public opinion, and so give Local Government a full and fair trial. I can conceive nothing more unfortunate for Ireland than that Irish country gentlemen—many of whom still live on their Irish estates and are respected—should rely on these safeguards, instead of being stimulated to take part in the government of their counties, as was done,

and done successfully, by the English Act. Their own public activity will be their best safeguard. Now, Sir, there are one or two of these safeguards with which I will deal briefly. I take, first, that relating to the trial and dissolution of County Councils by petition of appeal. That is dissimilar from anything in the English Bill, and my wish is to proceed on the principle of similarity as far as possible. It is a new, and at the most a doubtful expedient, and I think the resources of the ordinary law—an armoury of *mandamus*, prohibition, *quo warranto*, with the ultimate sanctions of fine and imprisonment—are not so limited as to make the introduction of a provision of that sort supremely necessary. Besides, I hope there is in Ireland an improving public opinion, which I believe will be furthered and educated by the transaction of local government, and result in putting an end to a great deal of that distrust which had been a source of great injury to that country in her industrial pursuits in an age of organised and collective trade. It has been said by the right hon. Gentleman opposite (Mr. J. Chamberlain) that as an alternative to this safeguard there is in England that of the imprisonment of the members of the County Councils under *certiorari*. Well, after all, it seems to me that the suppression of a Governing Body is a more serious matter than the imprisonment of an individual—it means the loss of an institution. And, Sir, I doubt the expediency of this safeguard because of the substitute provided in the Bill, which is that the Lord Lieutenant shall nominate a new Council. In that case you have absence of direct power in the Lord Lieutenant, coupled with full responsibility for the actions of the nominees, which is obviously undesirable and worse even than personal government, which at least combines power and responsibility; and such a nominated Council would not be even as representative as the present Presentment and Grand Jury system. I hope, therefore, that this clause will disappear from the Bill. I have now a word to say about the cumulative vote, which again is dissimilar from any thing in the English and Scotch Bills, and here again I am glad to observe that a disposition has been shown to consider some alternative proposal. It has been conceded by

hon. Members opposite that some protection for minorities is desirable, and I think some better proposal than this for carrying out the object in view could be devised. I doubt very much whether the proposal now in the Bill would be effective, because I am inclined to think, from my observation in Ireland, that in many cases the minorities are so small that they would not be able to make themselves felt. It may be that some other scheme would, therefore, be desirable, and the suggestion of my hon. and learned Friend the Member for North Longford (Mr. Timothy Healy) points to a possible conclusion. At any rate, the hon. Member for Dover (Mr. Wyndham) and the First Lord of the Treasury have expressed their readiness to consider other proposals, and if the principle of some protection for minorities is approved, it ought not to be impossible to carry it out in a satisfactory manner. Then I cannot think that this is an opportune moment for dealing with the question of illiteracy or for disfranchising any persons in Ireland. And this matter of illiteracy leads me to suggest whether such a complex franchise as the cumulative vote is suitable to the circumstances of Ireland, especially as the Bill does not apply to the boroughs, which will add to the confusion. The time is, indeed, not one in which to detract from household suffrage, but to make it as inclusive as possible, if the claim to adult voting is to be resisted. With respect to the Standing Joint Committees, there is a precedent in Scotland but not in England, and I cannot help feeling that the tendency is to unnecessarily restrict the powers of the Councils. I do not under-estimate the dangers of excessive local expenditure, but I should be the last to object to productive expenditure on public works; still the growth of local indebtedness is a serious matter, to which attention was called by Mr. Fawcett in his *Political Economy*. I think the powers of these Standing Committees are too restrictive, except on capital expenditure, and I believe their scope does give some ground for the remarks that have been made about the limitation of the powers of the Bill. The Chief Secretary for Ireland (Mr. Jackson) challenges what I say as to limitation, but there is no doubt of it, through the Stand-

*Sir Albert Rollit*

ing Committee. The Bill contains frequent words of limitation, and of those words I do not see the necessity in some cases. In one or two instances there is even a double check--the check of the Standing Committees and the check of the Local Government Board. That is the case with respect to borrowing powers. In this country we have no check except the Local Government Board, and we find that check very stringent and ample for the purpose. Then there is the standing check of a public audit and the possibility of surcharge. All this is surely sufficient without limitations of powers which may prevent the best men undertaking such duties—a danger even in England. With respect to the Chairmanship of these Standing Committees, I find there is an impression that the Sheriff is to be the Chairman; that is not the case. He is an *ex officio* member of the Committee, but the Committee may appoint their own Chairman. The same provision exists in the Scotch Bill, but I admit that the two cases are not identical. The Scotch Sheriff is a really independent official, whereas the Irish Sheriff is supposed to be more a man of an order or class, and if he were necessarily the Chairman of the Standing Committee, it might undoubtedly cause friction and accentuate class differences, and destroy that unanimity of purpose which is so eminently desirable. But even the Bill gives a better alternative, and I hope that some further improvement will be made in this direction, as has been intimated by the Attorney General. With respect to compensation for malicious injuries, though I am thoroughly in sympathy with some of the remarks that have been made, and am prepared to vote for a Bill to transfer to a judicial and independent tribunal what is a judicial and not an administration matter, still I must say that I think that subject is beyond the purview of this Bill, and is calculated to distract us from the business of Local Government. The matter of county and divisional boundaries should, in my opinion, be entrusted, as in England, to a Commission, and not to the Lord Lieutenant, since in such questions it is important not only to be fair, but to seem fair, and we must allow even for prejudice and distrust, and do our best.

to reduce or remove them. On the subject of disqualification by absence, I think the same rule should apply to the Chairman and Vice Chairman as to the other members of the Committee, for absences have been the ruin of Ireland socially; and I do not see why the Chairmen of the Baronial Councils should not be on the Commission of the Peace. I sympathise with the desire of working men to have representatives of their own body on the Bench, and I have done what I can to assist in this matter in Hull and elsewhere. The Chairman of one of these Committees does not necessarily belong to one class, and I do not see why this office should not qualify him for a seat on the Bench, and so act as an incentive to the performance of public duty. I have made a critical examination of this Bill, and, taking it on the whole, I believe it has a foundation which is broad and wide. Its principle, as embodied in three clauses, does for Ireland all that was done for County Government in England, and in some respects even more. It is a Bill that is eminently capable of amendment, and Amendments will be required; they are also in some measure conceded; and if those Amendments are framed on wise and safe lines, by open minds, this Bill will be most valuable as extending the principle of local administration, as uniting not only the hearts, but the interests of both countries, and as conducing to both contentment and good government.

(7.37.) MR. WILLIAM REDMOND (Fermanagh, N.): I rise with some reluctance to take part in this Debate, because it seems to me like beating the air for Members to discuss a Bill which it is perfectly well known will never go beyond the stage of the Second Reading. It seems to me a waste of time to discuss the details of the measure which the Government do not intend to press through this Session. If the First Lord of the Treasury (Mr. A. J. Balfour) would give a straightforward opinion about this Bill, there might be some use in discussing it, but I think he must listen with some amusement to hon. Members discussing the details of the Bill, when he knows very well that it will never go into Committee at all. If he would only tell us whether he intended to pass the Bill or not, he would save a con-

siderable amount of time, and Members would know how to deal with the Bill. The hon. Member for North-East Cork (Mr. W. O'Brien) has spoken on this Bill. He represents a certain portion of the Irish people, though he does not represent the whole of the Irish people. But it is nevertheless a fact, that on whatever else the Irish people are divided, there is no division amongst them as to the way in which they regard this Bill. They regard it as an absolute insult to the Irish people; and I, therefore, refuse to discuss it seriously, or to go into its provisions at all. If there were no other reason for opposing the Bill, I think the speech of the right hon. Member for West Birmingham (Mr. J. Chamberlain) was a sufficient justification. From beginning to end his speech was a cynical, cool, studied insult to Ireland. He sneered at the Irish people and the Irish representatives in every possible way, and he did not advance one single solid reason why this Bill should be accepted by the Irish people. A great many reasons have been urged why it should not be accepted, and I think they may be summed up in the words, "The Irish people do not want it." The great mistake that successive Governments have made in this House in legislating for Ireland is to imagine that English Ministers know so much better than the Irish people what is good for Ireland, and acting on that assumption measure after measure has been passed through this House, and naturally no beneficial effect has been seen. This Bill will not settle the question of Local Government. It will not settle the question of National Government; it will simply cause irritation and harm. Can anything be more absurd than the course taken by the Government in this Debate? In spite of the protests of the Irish representatives and the Irish people the Government are wasting the time of the House in passing a Bill that the Irish people do not want and are protesting against as an insult. If a distinguished foreigner were sitting in that gallery during this Debate, and heard the protests of the Irish people through their representatives, he would carry away an extraordinary idea of government in this country. Suppose the same thing had occurred with relation to the English or Scotch Local

Government Bills. Suppose the Scotch Members had protested against the Scotch Bill in the way that we protest against this, the Government would have dropped it instead of insisting on passing it in the teeth of a national protest. I think there is nothing more absurd, ridiculous and grotesque than the position of the Government in relation to this Bill. The hon. Member for North Longford (Mr. Timothy Healy) spoke of the feeling of the Irish people with regard to what he called British faith, but I do not think the Irish people have any fault to find with the Government because of this Bill. They did not desire Local Government for Ireland from this Government or from previous Governments, and they will not require it from the next Government. They want National Government, which will enable them to settle the question of Local Government for themselves. It is like putting the cart before the horse to treat the question of Local Government and withhold the power of National Government. It is a question which you do not understand, and I venture to say that nine-tenths of the Gentlemen who sit on the opposite side could not pass the simplest possible examination in the most elementary features of Local Government in Ireland. You know very few of the circumstances in connection with Local Government in Ireland. For you Englishmen—many of whom have never been in Ireland—whose information is extremely limited, to sit there and waste the time of your country—simply because you think yourselves superior to Irishmen, and better able to judge what is good for them locally than they are themselves—in passing a Local Government Bill instead of letting the Irish people do it for themselves is to make yourselves the laughing stock of the whole world. We shall not be satisfied with this Local Government Bill or any other; we desire a full and free measure of national self-government, and we will then settle the details of local self-government ourselves. I put a question the other day to the right hon. Gentleman in regard to the Irish Education Bill, which is desired by every class and section of the Irish people. That is a Bill which would be welcome, and which, if it were properly amended, we would do our best

*Mr. William Redmond*

to help the Government to pass into law. But we are not allowed to discuss that, and instead we have forced on us this Local Government Bill, which scarcely a single person in Ireland desires. I appeal to the right hon. Gentleman to bring the sham and mockery of this Debate to a close, and if we must have a Division on the Bill—which is to be buried as soon as it is read a second time—let us take it at once, and devote the time which would be wasted on it to the Irish Education Bill. The right hon. Member for West Birmingham (Mr. J. Chamberlain) told us that the objection to the Bill was a merely electioneering objection. That is a strange remark to come from him, for everybody knows that the Bill itself is an electioneering measure of the most transparent kind. If you had five years of healthy life before you, we should not have had this Bill introduced. But after six years of coercion Government you are afraid to go to the constituencies at the General Election on coercion alone, and so in the last weeks of your existence you bring in an Irish Local Government Bill in order to pretend that if you have coerced the Irish people you have also offered them a fair and broad measure of liberty as well. Is it not absurd, on the face of it, that with the 86 Irish representatives absolutely united in opposition to this Bill we are having it forced down our throats by the right hon. Gentleman the Member for West Birmingham? I do not know much about Birmingham, but I have no doubt there is much to be done there and many reforms to be made, and I say that the right hon. Gentleman might look after his own constituency and leave us in Ireland alone. If anybody imagines that any section of the Irish people are content to be "bull-dozed" from Birmingham they are very much mistaken; we do not want legislation forced down our throats by the right hon. Gentleman and his friends. I want to say one word more about guarantees. I am disgusted whenever I hear the subject mentioned. The hon. Member for North Longford (Mr. Timothy Healy) said he was willing to give guarantees for this, that, and the other; but the Irish people are doubly insulted when they are asked to give guarantees. The request means that you do not think



they are sufficiently civilised and intelligent to govern themselves and mind their own business—unless you introduce a sort of inquisition in the country—and to abstain from driving from the country those of their fellow-countrymen who do not agree with them. It is impossible for any Protestant Member for Ireland to get up and say with truth that he believes that I and men like me in this House would think of interfering with the liberties or rights of any section of our countrymen, whatever their religion may be. We never introduced the religious element into the discussion, and nothing is more hateful to the Irish people and their representatives than that a question of religion should be introduced into that of national or local self-government for Ireland. I have never thought of giving any guarantee for my countrymen; I think too well of both my Roman Catholic and Protestant fellow-countrymen to believe that guarantees are needed. When we hear of these elaborate systems of guarantees and checks, it only shows us that the men who are proposing the Bill have not their heart in the work; it does not show that they believe them to be necessary, but it does show that they are obliged to do something to satisfy the bigotry and intolerance which exist in the minds of a certain section of their supporters in a certain part of Ireland. The Government know very well that the minority would not be oppressed in any County Council in Ireland, for we are far more tolerant in Ireland than you are in England. We hear of cases of intolerance at Eastbourne and other places, where the minority were brutally ill-treated; in Ireland no such scenes as that would ever occur. I represent a constituency in which there are Catholics as well as Protestants, and if they are allowed to live alone and are not interfered with by outsiders there will be no civil war and no interference with each other. This talk of guarantees is insulting to the Irish people to the last degree, and if guarantees are to be given at all they should be given by the Government to the effect that they will prevent their responsible Ministers making speeches in this country of the most inflammatory character and calculated to revive in the North of Ireland those scenes of riot and bloodshed which have disgraced its past history. If I

were to make a speech in Ireland against the Orangemen of the same character as that of the Prime Minister against the Nationalists I should be tried for treason-felony, and probably sentenced to a long term of imprisonment. The Prime Minister is allowed to suggest, with perfect impunity, that it is the duty of Orangemen to take up arms against the authority of this House, and against an Act signed by the Queen, and to excite them to rebellion against the British Government and the Parliament which will sit in Ireland to manage Irish affairs. That speech is one of the most disgraceful incidents in the connection of the present Government with Ireland. Representing an Orange constituency—for my majority was small and the election was fought in July, when the Orangemen are most excited—and knowing that scenes of turmoil and bloodshed have occurred in the North of Ireland, for I have seen them; and knowing the feelings of the people, I say that if at the next General Election on the July celebration there should be turmoil and bloodshed it will be attributable to the conduct of the Prime Minister of this country and nothing else. It was outrageous and scandalous, and not enough has been made of the speech in this country. The English people do not understand the effect it will have on the minds of the Irish people. It will probably be reprinted and placarded in every Orange lodge, and every Orangeman will know it by heart, and it will be the war cry of the bigots in Ulster at the General Election and at their celebrations. We, however, will not refrain from trying to make the English people understand that whatever turmoil may occur will be the result of that speech of the Prime Minister which incited the people to rise in rebellion against the Queen. I am sorry to have spoken at such length on this point; but it is one in which I am deeply interested, as an Ulster Member, and knowing what I shall have to face at the General Election. Such a speech is calculated to make this talk of guarantees have some weight. If the Prime Minister did not make such speeches, if the Catholics and Protestants were allowed to live quietly without having these memories raked up, there would be no need to talk of guarantees.

in reference to the County Councils or any other Public Bodies in Ireland. The best guarantee that any man can have that under a Nationalist Government in Ireland or under the County Councils the minority will not be interfered with is to be found in the action of certain men in Ireland lately, who have shown that whether men are Protestants, or Catholics, or Presbyterians, or whatever their religion may be, so long as they are good Irishmen, they will not tolerate their being interfered with by ministers of any religion in the exercise of their political rights. If this Bill is passed it can do no good whatever, because it is a mockery, a sham, and a delusion. The Irish people have seen through it—they know it is only an electioneering dodge—it is thoroughly despised by them, and the sooner it is swept out of sight the better, so that the people of this country may see that nothing but National Self-Government, in every particular, will ever satisfy the Irish people and put an end to their agitation.

\*(8.45.) MR. RENTOUL (Down, E.): The attitude assumed by hon. Gentlemen on the other side of the House with reference to this Bill is rather peculiar; because, although it moves on the main lines of the English and Scotch Bills—which are at the present time said to be working very well—their attitude to it is one of uncompromising hostility. But it is to be remarked that through all their speeches they never kept to the Bill at all. They wandered away perpetually to the Home Rule question, and on that and that alone they spoke. The right hon. Gentleman the Attorney General for Ireland distinctly stated that this Bill was no substitute for Home Rule for Ireland—that he had not that question in his mind at all. It was simply a Bill for Local Government which left the Home Rule question entirely untouched, and yet in spite of that declaration hon. Gentlemen hark back perpetually to the Home Rule question. Why is this? Simply, to my mind, because they know that this Bill will materially affect the Home Rule question. If the Bill does not pass, the reason will be owing to the hostility and obstruction of hon. Gentlemen opposite; and if the Bill is stopped by their obstruction and hostility it is very clear it

*Mr. William Redmond*

will benefit the Unionist cause in this country, and will damage the Home Rule cause with the electorate of England. Hon. Gentlemen opposite know perfectly well that the battle of Home Rule is to be fought in the constituencies of England. In Ireland, Scotland, and Wales the mind of the electorate is very largely decided on this question, but the English electorate are still very open, and are very willing to be taught in a sensible and fair manner. That being so, hon. Gentlemen feel that if their obstruction is the cause of this Bill not passing, it will be a very strong point made against them with the electors of England. On the other hand, let us suppose that the Bill passes. Then it will either work well or it will work badly. If the County Councils work well, that will be an argument in favour of the Unionist Government that has passed a Bill which is working well. But if the County Councils work badly it will be proof to the electors of this country that the Irish people are not fit for the small measure of local self-government which this Bill gives them, and that, *à fortiori*, they are not fit for the wide and almost boundless powers which they are claiming under an Irish Parliament. Therefore hon. Members opposite thoroughly recognise that this Bill does affect the question of Home Rule. The indignation that has been poured out on this Bill is something very remarkable. If the Bill took anything whatever from those whom hon. Members are pleased to call the Irish people, then I could understand some measure of indignation. But the Bill does touch those whom hon. Members have ignored in all their speeches—namely, the Unionist minority, whose privileges will be taken away by this Bill, because we know that the Grand Jurors of Ireland are at the present moment nearly all Unionists. And why are the Grand Jurors Unionists? Because the Unionists are the people who possess property, and who are fit to be Grand Jurors. It has been said again and again in the course of this Debate that even the Unionists of Ireland are against this Bill. There never was a greater misstatement of fact than that. During the last twelve months I have travelled through the whole country; I have interviewed Grand Jurors in every

county; and I think I can claim, owing to my last year's tour, to have met a larger number of Grand Jurors than any other Member of this House. I found that those who were to be disestablished by this measure were strongly in favour of passing a Local Government Bill. One of those with whom I spoke was a prominent Grand Juror in the County of Tipperary, who told me that by no possible qualification or franchise could any of the members of the Grand Jury of that county be returned to the County Councils. They fully expected that the powers they had exercised, and splendidly exercised, would pass away from them into other hands, and yet they supported the Bill. It has been said by hon. Members that the Bill is a bad Bill. Why, then, do they not help the Government to make it a good Bill? The Government do not claim to be infallible; but they do claim that the Bill is on the same lines as the English and Scotch Bills. How, then, can it be an insult to Ireland? We should like to know what hon. Members opposite really want. The selection of the hon. Member for West Belfast to move the rejection of the Bill was what I may call a bad cast, because it was necessary that the man who did that should be a man of great powers of vituperation and great willingness to use them. To the credit of the hon. Member, I say I do not think that his powers lie in that direction. He tried to grapple with the provisions of the Bill, but he failed to touch or shake any one of them. The gentlemanly instincts of the hon. Member prevented him from being a success at vituperation. His own success prevents him from posing as a martyr. His honesty prevents him from simulating what he does not in the least feel—namely, that he is a martyr, and his good nature prevents him from being indignant at nothing. I did not expect him to bless the Bill; but he ended by cursing it very mildly. The hon. Member said that the Government do not now attempt coercion, because they are afraid of the electors. The real reason is that there is no crime in Ireland to coerce. There have been fifty Coercion Acts in the present century, and thirty-eight of them have been passed by Liberal Governments. In Grattan's Parliament fifty-four were passed in eighteen years, or at the rate

of three a year. But how this Bill raises the question of coercion I fail to see. We have been told that if the present Government are retained there will be more shooting down of men in the streets, and taking men to prison. But what would happen if a Liberal Government came into power? Reference has been made to Mitchelstown, where only one man was shot down.

AN hon. MEMBER: Three.

\*MR. RENTOUL: Very well, three were shot down under a Conservative Government, but eighteen were shot dead in the streets of Belfast under the last Liberal Government. Then, again, I would point out, in reply to the hon. Member, that the awarding of compensation for malicious injury is not a fiscal business, and therefore it is left to the Grand Jury. It is certainly not a duty I should have cared to discharge when I was a member of the County Council. If the duty ought not to be left with the Grand Jury, a Bill could be brought in to provide another tribunal. This Bill simply takes fiscal business away from the Grand Jury, and leaves to them business which is not fiscal. It is uncharitable to say that Grand Jurymen are saturated with prejudices. It is an undeserved imputation on thousands of men, few of whom can be known to the hon. Member who made it. Nor is it rational to say that because 70,000 Roman Catholics in Belfast are unrepresented in the City Council, that they are, therefore, treated as civil outlaws, any more than it would be to say the same of Protestants living in counties to the South and West of Ireland, where all the representation is in the hands of Catholics.

DR. TANNER (Cork County, Mid): Give us a case.

\*MR. RENTOUL: I mean Parliamentary representation. Then, again, as to the illiterate vote, if I were a Home Ruler I would gladly see the illiterate vote abolished. I know the wonderful intelligence of the Irish peasantry, and I am sure they could readily be taught how to mark a ballot paper. It is an insult to them to say that it is necessary for someone to go into the ballot box with them. In South Donegal there were more illiterate voters at the last election than in the whole of Scotland. Now, I know that county very well, and

no one could make me believe that anything like a fraction of those who said they were illiterate were really so. I think it would be as well, therefore, to remove the suspicion attaching to the practice, for we believe—and everyone believes—that in Ireland thousands of men are forced to declare themselves illiterate—are made to do so—in order that it may be known how they vote. If a man is suspected of intending to vote for the Unionist, he is ordered to declare himself illiterate, so that thousands of men are forced to tell absolute falsehoods and to say they are illiterate, when they can both read and write perfectly well. The hon. Member for West Belfast does not object to any rational scheme of minority representation; what he objects to is the Tory Lord Lieutenant. But the Lord Lieutenant is not always a Tory, and hon. Members opposite themselves hope that there will not be another Tory Lord Lieutenant for some considerable time; and that the next Lord Lieutenant will be a Liberal; and if that be so, and if the Bill passes, he will probably be the one to apply it to the constituencies. Therefore the objection to the Tory official is not one of much weight. I am sure the hon. Member himself would not assume that a gentleman in the position of Lord Lieutenant of Ireland, even if he be a Tory, would manipulate and tinker with the divisions for the County Councils in order to score a point for his Party. Then the hon. Member for West Belfast objects to the Standing Joint Committee, and says, "Why do not you trust us?" My answer is, "Why do not you trust us? How is it you invariably express the extremest distrust with regard to our Grand Juries and Sheriffs?" There is on the part of hon. Gentlemen opposite a continual assumption that all Unionists in Ireland are Orangemen. There are only about fifty thousand of them in Ireland, and yet, in the face of that fact, you speak as if all Irish Unionists were Orangemen, and then allude to Orangemen as if they were the most rascally set of men that ever trod the earth. Why do you not trust the Orangemen? The hon. Member next proceeded to speak of the trial by two Judges, and he condemned that procedure. There has been condemnation of that method from both sides of the

*Mr. Rentoul*

House. I am somewhat surprised at that, and, indeed, I am entirely unable to follow it. The only objection I have to the trial by two Judges is the fear that it might be inoperative altogether—the fear that no twenty men can be got who will petition a Judge for leave to begin these legal proceedings against the County Council, seeing that they would have to give security for the costs. That is a great difficulty in the way of the full operation of this provision. Surely there is not much danger in a tribunal of that kind. In connection with this Bill we have had a speech from the hon. and learned Member for North Longford (Mr. Timothy Healy), who commenced with the statement that he had heard the speech of the right hon. Member for West Birmingham (Mr. Joseph Chamberlain) a hundred times. I would venture to suggest that there is some element of exaggeration in that statement, for I never heard a speech that kept more closely to the subject. The right hon. Gentleman dealt with the Bill almost page by page, and surely under those circumstances, the estimate of the hon. and learned Member for North Longford is rather strange. I take the hon. and learned Member's assertion as indicating the nature of the whole of the other statement he made. But while that statement carried its absurdity on its own face, there were many other statements made by the same hon. Member which did not show on their faces their own absurdity and incorrectness, because they had reference to a state of facts in Ireland not known to many Members of this House. He said, for example, that the landlord does not himself hold any land. Speaking from my own acquaintance, I say that of all the landlords I know there is not one who does not farm more land than the biggest tenant he has. Therefore the statement of the hon. and learned Member is not true so far as my experience goes. Then the hon. and learned Member said it would be reasonable to abolish Grand Juries altogether. But Grand Juries still exist in England, and, therefore, why should it be an objection to this Bill that it does not remove in Ireland a system which still exists in England? It is perfectly true that Grand Juries are, perhaps, not of much practical value as regards their criminal



functions, and that there would be no material loss if they were abolished. Still, the summoning of the Grand Juries is a nice and pleasant ceremony, and such duties as Grand Jurors have to perform could not be performed better by any other body of men. The hon. and learned Member said that what was wanted in Ireland was a system to improve the land and the breeding of cattle. That is perfectly true, but one might just as well suggest that those matters should be brought within the scope of an Education Bill. They are subjects for distinct legislation. The hon. Member says it is the majority who pay the rates; but it is perfectly well known that in many cases the large proportion of the rates is paid by a few people. I was recently examining one barony in which there were 2,600 electors, and more than half of the rates were paid by thirty-five. In the case of the vast number of electors their rates were only something like fourpence or sixpence in the pound. And if the minority pay the rates they are, therefore, in need of protection against expenditure which would have no appreciable effect on the small ratepayers, but would be a considerable burden on the others. The hon. and learned Member finished his speech by saying that if Ireland is to be pacified we must give her a decent Bill without restrictions. Ireland is pacified, and there would remain no need for restrictions if this Government were to always remain in power. But if a Liberal Government were to come into power there might again be turbulence, and hence the necessity for restriction. The hon. Member for North Fermanagh (Mr. W. Redmond) said that the Irish people did not want this Bill; but I know that in the main the whole Unionist population of Ireland are more anxious about this Bill than about any other legislation for the past ten years, and in all the counties of Ireland I have only met one Grand Juror who was not in favour of it. The hon. Member said it was not wanted in his constituency; but it is a curious fact that that was the one constituency to which I was asked to go and speak in favour of Local Government last September, as most of the people were in favour of it. The one word that stood prominent in all the Opposition speeches was the word "insult"; but it has

been used without in any case showing wherein the insult existed. The insults are the restrictions placed upon the full and complete liberty of the County Councils. Now, are there not the same kind of insults being shown to Members of this House, and are not these the result of certain actions of the Irish Nationalists? Is it not a fact that we cannot now bring a friend into the Member's Lobby without obtaining an order? That is an insult, and what has caused it? Dynamite in this House. Again, a gentleman comes to see me at the Law Courts, and he has a bag in his hands. He is stopped at the door, and a policeman examines it. That is a deep insult to my friend. What brought it about? Again I have to say—dynamite. These insults are being offered to people in this country because of scenes that have taken place in the past. Now, have not scenes taken place in Ireland in the past? Gentlemen opposite have been challenged to say they want a Bill without any restrictions or safeguards, but not one of them has done so. But they say, "We want you to show that you trust us." Personally, I do trust them and the Roman Catholics of Ireland, because I have never been a Gladstonian, and it is those who followed Mr. Gladstone who have never trusted the Roman Catholics. They have been taught not to trust them by two pamphlets called *Vaticanism* and *The Vatican Decrees*. I have never believed in those pamphlets, and I have only read small portions of them. If there is any distrust of Ireland at all, it is on the part of those who have been trained along the lines of the right hon. Gentleman the Member for Midlothian (Mr. W. E. Gladstone). The hon. Member for South Belfast (Mr. W. Johnston) said the other night that he trusted the Parnellites. Now, when he has got so far, it is possible, though difficult to conceive, that at some very remote date he might trust the Anti-Parnellites. But there is now a growing tendency among all sections in Ireland to trust one another, although sometimes things happen which make people a little distrustful for the time being. When I was in Sligo a short time ago I was told a story which no doubt some hon. Members opposite are familiar with. One night the pillars of the priest's house in Sligo were injured and his gate

broken, and immediately the windows of all the Protestants in the town were broken, as well as those of a Roman Catholic doctor who was known to sympathise with the Protestants. The Catholics seemed to have jumped to the conclusion that it must have been a Protestant who did the injury; but the fact was, it was done by a Roman Catholic who was drunk, and he afterwards confessed that that was the case. When, however, the Catholics found that they were in the wrong, a contribution was levied among their own party to pay for the broken windows, and they made the Roman Catholic doctor, whose windows had also been smashed, contribute to the fund, but they did not repair his windows. As a Catholic he was obliged to subscribe, but not being a Protestant he could not have his windows repaired. This illustration will show how rapidly Roman Catholics jump to the conclusion that if anything bad is done a Protestant is the guilty party. You see they do not trust us in the manner they should do. Now, in the last place, I wish to refer to the speech of the hon. Member for South Aberdeen (Mr. Bryce). He condemned the Bill because it did not square with five tests that he applied to it. His first test is that it should be similar to the English and Scotch Bills. Now, I will venture to say that this Bill is as like to the Scotch Bill as the English Bill is. It cannot be similar to both the English and the Scotch, as they are different from each other. Therefore, his first test is an absurdity. The second test is that the Bill ought to satisfy Ireland. Well, if the hon. Member could produce a measure dealing with Local Government, or any other question in Ireland, which would satisfy anything more than a section of the Irish people, he would deserve a statue in brass to be erected to his memory in the Lobby of this House. The third test is that it should pacify Ireland. But you do not know whether it will or not until it is tried. His fourth test is that it should cause the Local Authorities to work in harmony with the Central Authorities. Well, we believe it will have that result if it becomes law. The hon. Member's last test is that it should be so framed as to teach the people to govern themselves. I think

*Mr. Rentoul*

it is so framed, and that it is very likely, having local self-government, the Irish people would learn to govern themselves, not in a Parliament in Dublin, which they will never get, but in County Councils all over the country. I have the greatest possible desire to see this Bill passed into law, and I earnestly hope there is nothing whatever in the jokes made across the floor of this House that the Bill is going to be dropped. Speaking on behalf of a great number of Unionists in Ireland, I can safely say that they are more anxious for this Bill to be passed than they were for the Land Act of last year, and I think the hon. Member for South Antrim (Mr. Macartney) was quite right when he said that the First Lord of the Treasury made too little of the Bill. I hope that hon. Members opposite will allow the Second Reading of this Bill to be speedily passed, and then set themselves seriously to work to make it a good Bill, and one that will be a benefit to Ireland.

(9.39.) MR. KNOX (Cavan. W.): The hon. Member considers, no doubt, that he has sufficient evidence to support the statement he has made with reference to the feeling of the Unionists in Ireland on this Bill. It may be the case that there are Unionists in Ireland who are in favour of the Bill, but all I can say is that they take great pains to conceal that feeling. Can hon. Members opposite produce one single resolution of any Public Body which, by the most liberal interpretation, could be said to give a welcome to the measure? The only resolutions I have seen passed by Ulster bodies about it seemed to condemn it. When hon. Members say that Ulster is in favour of this Bill, we must assume that, to some extent, their judgment is coloured by the interests of their Party in England, and by the feeling that, if this great crowning measure of Unionist administration is openly flouted by every Party in Ireland, the Unionist administration is not likely to be renewed. Nationalist Members who address the House on this Bill are open to the disadvantage of being sneered at by a handful of Members opposite, representing a section of Ulster, for their want of knowledge of the Grand Jury system. The hon. Member for South Antrim (Mr. Macartney) has sneered at the hon. Member for West Belfast (Mr. Sexton),

and has alleged that he has no sufficient knowledge of Local Government in Ireland to enable him to address this House on that subject. I ask the House if there could be a more sweeping and severe condemnation of the whole system of Local County Government in Ireland—as it has hitherto existed—than that allegation, if it were true? But instead of it being the case that the hon. Member for West Belfast has no knowledge of local administration in Ireland, he has great knowledge, because for several years in succession he practically managed the affairs of the Municipality of Dublin, which collects in rates every year as much as any six of the largest counties in Ireland, and my hon. Friend has also carried through—as head of the Corporation of Dublin—a large scheme for the consolidation of the debt of the city in a way that even Unionists in Dublin admit did him great credit. I think it is going too far when the hon. Member for South Antrim—because, owing to certain hereditary privileges, he has had the honour of sitting on a certain number of Grand Juries—comes here and discounts the statements of the Member for West Belfast. Now, we say that this Bill does not propose to establish a system of Local Government in Ireland which can by any possibility be made to work. What is the first necessity for a workable system of County Government? I apprehend that hon. Members on both sides of the House will acknowledge that any system to work satisfactorily must be simple. The areas must be simple and the bodies elected must not be too numerous. It would be idle to deny that there are great difficulties in the way of carrying out a system of popular County Government in Ireland. The leisured class are, for the most part, in opposition to the people. Distances also are great; and in spite of what we have heard about the light railways, I am sure the Chief Secretary would be the last man to deny that the difficulty of getting to many county towns in Ireland is considerable. Yet the Government appear to have deliberately designed a Bill which will give the greatest possible amount of trouble to all concerned. We have at the present time several local divisions in Ireland. The county is sub-divided into Baronies, and the Poor Law Unions are

sub-divided into electoral divisions, and already there is a considerable amount of confusion. Yet the Government have proposed to set up electoral divisions, which may be carried out by the Lord Lieutenant without regard to the existing areas, and merely to suit the existing exigencies of the Unionist Party. Hon. Members opposite say we should not attribute these mean motives to high officials. But these mean things are done. As a case in point, I need only refer to County Cavan. For the election of a matron of one of the Unions in that county there was a tie, and the Lord Chancellor of Ireland deliberately appointed several non-resident Justices as *ex officio* members in order to turn that election, and the result was that they put in a matron of their own way of thinking. We therefore know perfectly well that unless this House gives strict directions to the Lord Lieutenant he will divide up these divisions with regard to the electoral views of the agents of the Unionist Party. Fresh sanitary areas are also to be formed, for which I cannot see there is any necessity, and these may also be quite distinct from the Baronies and Unions. When all this is done we shall have several conflicting units of administration in Ireland, and there will also be a vast number of authorities. The Grand Jury, too, is still to exist as the fiscal authority for some purposes; it is still to deal with malicious injuries, and such matters as that. Then there is to be the County Council, and also the Standing Joint Committee, where representatives of the County Council and of the Grand Jury are to meet under the headship of that impartial man for whom we are all looking, and whom nobody has yet suggested—to fight out the questions about which the County Council and the Grand Jury differ. Fourthly, there are to be Baronial Councils; fifthly, Boards of Guardians; and, sixthly, Sanitary Committees, which are to be entirely distinct from the Boards of Guardians. Imagine the position of an unfortunate rural voter in Ireland. Here is a man whose illiteracy, if we may believe hon. Gentlemen opposite, is perfectly terrible, and who is so miserably poor that he ought not to be allowed any determining control over the affairs of the county, and yet

he is expected to keep his eye on all these bodies who manage his affairs for him, and who may very possibly meet in different towns. If the Government had deliberately endeavoured to design a machinery which was most likely to produce jobbery, they could not have produced a measure more likely to secure that end. We know the difficulty of working any system of Local Government, and the Government seem to have set themselves deliberately to increase the difficulties of the situation. Take for instance the matter of building a bridge. If it falls down or is carried away it must be rebuilt, but before it can be rebuilt there has to be a tortuous procedure which commences with an application to the Baronial Council—a body which meets eight times in the year—by two cess-payers. The application must be considered and approved by the Baronial Council, and the County Surveyor is directed to prepare plans. After this the Council, have to meet and accept tenders. The fourth step is that the Finance Committee of the County Council has to consider the proposal. The fifth is the County Council has to consider the application, and the Standing Joint Committee come in for the sixth step. The whole proceedings so far can be traversed in the High Court in Dublin, as a Judge of Assize is not good enough to give a decision under the new system. The last step, number eight, is that the Local Government Board in London has to give its consent to the loan. I venture to say that that is not a simple and workable system. Next we have to discuss what are the powers which the various bodies will exercise and what are the safeguards. With respect to the safeguards which are imposed on the Standing Joint Committees, the Member for West Birmingham said, on the authority of a person whom he did not name, but who, I believe, was the Member for South Antrim (Mr. Macartney), that ninety-seven per cent. of the expenditure of the County Councils would be beyond the control of the Standing Joint Committees. That statement was absolutely preposterous, and one which ought not to have been made without an inquiry into the facts; and made as it was by the Member for West Birmingham, it was calculated to mislead the House. I think I can give the genesis of this

*Mr. Knox*

peculiar fallacy. The Member for South Antrim, when he addressed the House, took the figures for the County of Tyrone, and stated—I dare say correctly—what was the amount spent on new roads and bridges in that county, and from that county he took an average for the whole of Ireland, and so arrived at the conclusion that the total amount spent was £19,000. Anyone who knows anything of Local Government anywhere must have seen that the statement was preposterous and absurd on the face of it, and one would not have supposed that the Member for West Birmingham would have been so easily gulled. Indeed, I do not suppose he would have been gulled if he had desired to inquire very accurately into the facts. But there was no difficulty in getting at the actual figures, which have been published in a Parliamentary Return. I may say that the amount spent on roads and bridges has been less in recent years owing to the fact that the landlords have ceased to take an interest in the improvement in their property, even at the expense of some one else; but last year the amount spent, according to the Parliamentary Return, on roads and bridges was £50,000. These figures were accessible to the Members for South Antrim and West Birmingham, but instead of taking them they preferred to mislead the House by striking an average from a single county. The amount levied in the form of county cess is £1,172,000 a year, and of that £284,000 is absolutely peremptory, including the payments for prisons and lunatic asylums and repayments of debt. That leaves a balance of something like £888,000. Of that £50,000 is expenditure on roads and bridges, and that is not all capital expenditure, because it may include amounts for altering and widening as well as for building. Further, there is a sum of £99,000 a year spent in salaries, and this I contend is clearly beyond the control of the County Council, because that body will not have the power to raise the salary of a single official. Then it is difficult to trace all the expenditure of the Grand Juries, but I think at the very lowest estimate, after giving every doubtful point to the friends of this Bill, there will be about thirty per cent. of the expenditure over which the County Council will have no control, and which



will be entirely in the hands of the Standing Joint Committee, and it is perhaps needless to add that that thirty per cent. includes all the expenditure with reference to which there would be any difference of opinion. When any new work is proposed with reference to which there can be any discretion, the control of the Standing Joint Committee comes in. The hon. Member for Islington (Sir A. Rollit) has seen the absurdity of the proposal, and if he had been on the Treasury Bench, and had drawn up this Bill, I daresay we should have been found voting in favour of it. Can you imagine a more fruitful source of friction than this question of the control of capital expenditure? If I were a member of the Irish Bar I should be strongly tempted to support this Bill, and if this Bill passes I congratulate my brethren of the Irish Bar on the prospect of a large harvest of fees which will undoubtedly come to them as the result of litigation on this subject. At the same time that the Standing Joint Committees have these enormous powers the Grand Juries keep the powers with respect to malicious injuries. At Presentment Sessions they are discussed in the presence of the associated cesspayers, and though a Grand Jury does sometimes pass a presentment for malicious injury in spite of it not having been approved by the Baronial Session, that is an unusual course. The Government have entirely removed this preliminary inquiry from the control of the cesspayers, and the only inquiry is that before the Grand Jury, and that is beyond the power of question except by traverse. You have a certain amount of popular control in the Presentment Session, but so objectionable is popular control to the right hon. Gentleman that he has entirely abolished it. I think it would have been better to abolish presentment for malicious injury altogether. The Government has been careful to preserve the power to the wealthy and intelligent of getting large sums for the cesspayers by fraud and perjury by reserving the power of compensation for malicious injury mainly in the hands of the landed gentry. As to the cumulative vote, I do not object to it from its Party effect, but because I believe it will introduce bad government in Ireland. The rural ratepayer will have to go in and

choose ten, or, in the case of Baronial Council, fifteen members at a time, many of whom will be unknown to him even by name, and to distribute his ten or fifteen votes among them. The right hon. Gentleman could not have devised a better system by which rural affairs could be put into the hands of a clique wire-pullers. Twenty years' experience of School Board elections show that very careful management is required to prevent the majority being outvoted by a better organised minority, and the same careful management will be required in Ireland. Under the ordinary law in Ireland there would be all the safeguards that exist in England—*certiorari*, *mandamus*, prohibition, the control of the Local Government Board, and of the auditors. There would also be the safeguards which exist in the Irish law—the right of traverse, and the peculiar Irish law as to valuation, which puts it out of the power of any Local Authority to change the valuation at all. But, with all these, the Government has deliberately designed other unnecessary safeguards in order to render the scheme unworkable, to render it abortive as a Bill for the good government of Ireland, to introduce friction into every county, and to set class against class. If the Bill were amended by the acceptance of all the Amendments which have been suggested by the hon. Member for Islington (Sir A. Rollit) and others of more liberal thought on either side of the House it might make a fairly good measure; but though the hope of amendment may be held out on the Second Reading, that hope would be disappointed if ever the Bill came to Committee. It never will get into Committee. We object to the Bill because it is bad, it is unworkable, and because it is an attempt to delude the voters of England and Ireland into thinking that the promises of the Government have been carried into effect; while as a matter of fact, if the Bill were passed, it would only increase the difficulties of government in Ireland, and do no manner of good to any single human being from North to South or East to West.

(10.12.) COLONEL SAUNDERSON (Armagh, N.): There is one thing I am glad to have noticed during the course of the Debate—that no attempt

has been made to prove that during the past Irish Grand Juries have in any sense misappropriated public money. Allegations have been made that they have recklessly expended public money by the hon. Member who has just sat down, but he took care not to offer any proof of the statement. Having acted as foreman of the Grand Jury of my county for many years, I most distinctly state that the allegations are absolutely devoid of any shadow of foundation.

COLONEL NOLAN (Galway, N.): I will give proofs if you like.

COLONEL SAUNDERSON: I was struck during the Debate by the number of different points of view from which Irishmen view the same question. The speeches of the hon. Member for North-East Cork (Mr. W. O'Brien) and of the hon. Member for West Belfast (Mr. Sexton) may be taken as specimen speeches of those delivered on the opposite side of the House. I regret that my absence prevented me hearing the speech of the hon. Member for West Belfast; I am sorry that my presence in the House enabled me to hear that of the hon. Member for North-East Cork, whom I cannot congratulate on his attack on the Government Bill. He, however, made one remarkable statement. Among the many accusations he brought against the Bill he said—

"This Bill was an unhappy effort on the part of the Government to satisfy fifteen million Irishmen in all parts of the world."

I am at a loss to know when it became a habit of Governments in this country to try to satisfy those who are not subjects of the Crown. I know that speeches have been made by distinguished Members opposite pointing out the grave effects of offending Irishmen on the other side of the Atlantic, but I do not believe that line of argument—which is the argument of a craven—will ever be popular with any political party in Great Britain, whether Radical or Tory. The hon. Gentleman suggested that the Government should have considered the feelings of gentlemen on the other side of the Atlantic, at which I do not wonder. These Irishmen have ceased to be subjects of the Crown, or never were subjects of the Crown, and have openly avowed their hostility to this country, and have been the main source of the sinews of war to hon. Gentlemen opposite, but the source is now

*Colonel Sanderson*

dried up. Therefore, no doubt, in considering a Bill of this kind, brought in by the Government with a view to doing justice to the Irish people, it is the duty of hon. Gentlemen opposite to consider what effect the acceptance of such a Bill would have on their supporters in America and elsewhere. But I do not see that it is an objection to the Bill that in the mind of the hon. Member for North-East Cork it fails in that direction. I should say it is rather one of the beauties of the Bill that it utterly ignores everybody except those whom it is intended to benefit by it. It has been asserted that this Bill is a substitute for a Home Rule Bill. It is no more a substitute for a Home Rule Bill than is the Bann Drainage Bill. The Bill is brought in by the Government, and I hope will be passed by the Government—it may not be this Session, but that depends on the action of hon. Gentlemen opposite—but no doubt the Leader of the House will consider the statement of the hon. Member for North East Cork that he would let the Bill pass if the Government would give a Dissolution. I hope the Government will take him at his word, pass the Bill, and then go to the country, and I have no doubt the Government would then return to carry on the government of this country in the future. It is dangerous to be certain on this point. Hon. Gentlemen opposite believe the tide has turned, but it has not yet set in with such alarming velocity as they would have us believe. But if the Bill does not pass—and I earnestly hope it will—it will indicate to the country the kind of Bill the next Unionist Government will bring in and pass for the benefit of Ireland. I read the speech of the hon. Member for West Belfast carefully, for I knew, from his ability and eloquence, he would place before the House very clearly what he thought to be the main weaknesses of the Bill and why it should be rejected. But when I read the speech of the hon. Member I thought he must have been dreaming. He made this remarkable statement—

"The state of Ireland was on all fundamental points exactly the same as it was when the Coercion Act was passed."

If I thought that was true I should join with hon. Gentlemen opposite in opposing the Bill, for I believe, Sir, that

one point we should take into consideration—quite apart from the details of the Bill—is: Is Ireland in a fit state to benefit by the Bill? If Ireland is in the same state as it was five or six years ago, I should say Ireland is the most unfit country in Europe for the Bill. I may say I thought the hon. Gentleman must have been dreaming. He must have thought that the Land League was in full force. Where is the Land League, I should like to know; this organisation which was to destroy all before it, and smash down all opposition? It is gone; it has become a thing of the past, and no longer exists. He must have thought that the Plan of Campaign was in existence. What has happened to the Plan of Campaign? What has happened to the O'Brien Arcade? All these things have vanished and disappeared. The O'Brien Arcade at present belongs to my hon. Friend the Member for Huntingdon (Mr. Smith Barry). I believe also the hon. Member for West Belfast must have thought that he was still speaking for a united Party? Where is the union of that Party? Buried in the grave of Mr. Parnell. The hon. Member must have believed that the hon. Member for East Mayo (Mr. Dillon)—I do not know whether he is on speaking terms with the hon. Member for East Mayo—but, at any rate, he must have thought that the hon. Member for East Mayo is still going about the country inciting the Irish people to deeds of violence, as he did on former occasions. Well, perhaps that may be thought a strong statement for me to make, that the hon. Member for East Mayo incited the Irish people to deeds of violence; and if I am corrected for saying so, I can only justify myself by saying that I am using the exact language that the hon. Member for East Mayo used the other day in speaking of an hon. Gentleman who used to be his friend, the Member for Waterford. He accused the hon. Member for Waterford of “inciting to deeds of violence,” because, as a leader, he had failed to condemn those deeds of violence; and, therefore, he was guilty of every one of them. Now, that is exactly what we always said of the hon. Member for East Mayo. And if the hon. Member for East Mayo could go about the country, just as he did, inciting the Irish

people to deeds of violence and intimidation, I should join with hon. Members opposite in opposing this Bill. I should say that a Bill of this kind, which was brought in under those conditions, would be an unmitigated curse to Ireland. I consider that a Local Government Bill in my mind would be far more dangerous under those circumstances than a Home Rule Bill. And I think so for this reason: It would be harder to destroy a Local Government Bill, no matter how bad it might be; and the very points which the hon. Member for West Belfast singled out as defects, and which caused him to condemn the Bill, are the very points which cause me to defend and accept it. I think it was the hon. Member for North Longford, or perhaps it was the hon. Member for North East Cork—yes, it was the hon. Member for North East Cork—who challenged any Ulster Member to get up and say that he really supported this Bill. And he went on to say after that that the Ulster minority differed very much on many of these grave points. That is true. I quite admit that there is the same amount of difference between the Ulster Loyalists as there is between the Tories in this country. They differ very often on the land question; they differ on other points; but there is one good thing, at any rate, that hon. Gentlemen opposite have involuntarily done for our country, and it is this: that they have welded into one solid whole the Ulster Loyalists. Although we may differ on some grave political points, we are absolutely at one upon the great point, and that is that we should never permit hon. Gentlemen opposite to rule over us. We are quite at one in favour of this Bill. My constituents have spoken to me often on this subject, and they are as much in favour of a County Government Bill as British electors have been in favour of it in England and Scotland; but what they impressed upon me is this, that however much they desired a County Government for the sake of themselves and the administration of their county affairs, they never would consent voluntarily to accept a County Government Bill which would injure their brethren in the South and West of Ireland. There is one thing which they are determined on, at any rate in Ulster,

and that is to stand by every Loyalist between Cape Clear and the Giant's Causeway. I support this Bill because I think the Government in framing this measure have successfully fulfilled a very difficult task. The task they had to perform, and that they have fulfilled, was this: they had to give popular control over county affairs without giving Ireland a Bill which might be used as an engine by the majority to oppress the Unionist minority. One reason why the hon. Member for West Belfast opposes this Bill is that it takes away the power of presentment for malicious injuries from the County Councils, and gives it to the Grand Jury.

MR. SEXTON: You could not take away from them what they never had.

COLONEL SAUNDERSON: Well, perhaps I dropped an inaccurate phrase. I mean to say that the hon. Member complains that the Bill does not propose to give that power to the County Councils.

MR. SEXTON: I do not complain that it does not give that power to the County Councils, but that it has been left to the Grand Jury.

COLONEL SAUNDERSON: I venture to point out that if the power of presentment for malicious injuries was left to the County Councils in Ireland the position of the minority in the South and West would be absolutely untenable. We know perfectly well what was meant, when the Land League was in full force, by making a man uncomfortable, as the hon. Member for East Mayo phrased it. One of the ways employed was to maim and destroy his cattle; that was the ordinary way by which the Land League enforced its laws. The only safeguard they had in the South and West was that they could recover for malicious injuries before the Grand Jury; and undoubtedly that had a great effect in preventing the recurrence of these crimes, and rendering them at any rate less common. If the power of presentment for malicious injuries were granted to popular bodies in Ireland, especially if hon. Gentlemen opposite had the misfortune to have that power, with the "village ruffian" again upon the scene, when the Land League had again been put in force, and if the County Councils were under popular govern-

*Colonel Saunderson*

ment and under the control of the Nationalist Party, there might be at any moment a general massacre of all the cattle in the South and West of Ireland. (Laughter.) It is not a laughing matter, but it may be a laughing matter to hon. Members opposite because they do not possess any cattle. I venture to say it would place the Irish Loyalists, the Irish minority, whether Roman Catholic or Protestant—for we make no difference in point of religion—it would place them absolutely at the mercy of the majority; and I say that this is one of the best things about this Bill. One of the good things about it is that it takes away, or will take away when it is passed, the power of presentment for malicious injuries from the County Councils. That is one of the reasons why the hon. Member for West Belfast objected to this Bill. There was another reason, and perhaps this was his greatest reason, because this Bill takes away the control of the police from the County Councils. It does not propose to confer on the County Councils the control of the police. The control of the police will remain as it is at present. I venture to point out to hon. Gentlemen opposite that if the County Councils in Ireland had got control of the police, the people who would suffer most would be the hon. Gentlemen themselves. I venture to ask the hon. Member for Mid Cork who visited Cork the other day, what would have happened in that city if the police in Cork had been under the control of the Local Authority. The hon. Members never would have escaped with their lives out of the City of Cork, and they only did escape with their lives under the protection of the police and the soldiers.

DR. TANNER: And the Tory High Sheriff.

COLONEL SAUNDERSON: I would ask the House to remember the election in Waterford. If the police had been under the control of the hon. Member for Waterford, what would have happened to the hon. Member for North-East Cork, the hon. Member for East Mayo, and their friend Mr. Davitt? If the Bill were so framed that the police were to be under the control of the County Councils, I venture to say that there is not a constituency in Ireland in which the hon. Member for North Longford could make



a speech without danger to his life. I do not think the hon. Member for North Longford would be safe anywhere except on the English side of the Kish Light. Therefore, I think that one of the reasons why the hon. Member for West Belfast condemns the Bill is one of the virtues of the Bill, and one of those parts of the Bill that in their own interest, I believe, hon. Gentlemen opposite ought to think twice before they rejected. Each of the leaders of the Party would want to get command of the police; but how would it be with the others? In supporting this Bill, I say that the defects which the hon. Member has discovered in this Bill are, to my mind, its chief virtues. I speak, I think, in the name—in fact, I do speak in the name of the most powerful section of the Irish people. I have the right, without arrogance, to say that at the present moment there is no Irishman in this House who speaks in the name of as powerful a section of the Irish people as I do myself. I will test it. I venture to say there is no hon. Member below the Gangway who dare get up—who has the audacity to get up—and say that he speaks in the name of the Irish people, because he would at once run the certain danger of being contradicted by the Gentleman who sits beside him. I speak in the name of a minority, but at any rate it is an absolutely united minority. We do not spend our time in fighting for the plunder of journals in Dublin. When my right hon. Friend the Member for West Birmingham expressed the hope that they might be able to find a Chairman of a dispassionate mind, he was at once received by signs of amazement from hon. Gentlemen from Ireland below the Gangway. Why, Sir, they have spent a week in Ireland trying to get a Chairman, and the Member for East Mayo, when a Chairman was proposed, said, “Fair play from a man who is under the direct influence of Mr. Healy!” The idea of fair play from a Chairman who is a sympathiser with the Member for Longford was a thing that the hon. Member for East Mayo absolutely derided. No wonder hon. Gentlemen opposite treated with derision the idea of the right hon. Gentleman the Member for West Birmingham, that it was possible in Ireland to obtain a dispassionate Chair-

man. I support this Bill because I do not despair at all of the future of Ireland. I believe that without Home Rule, which I believe in our time we shall never see, there are all the elements of future prosperity in Ireland. I think the most sanguine Unionist six years ago never could have imagined in his wildest dreams that Ireland would be as peaceful, as prosperous, and as contented as she is now. The hon. Member for West Belfast in his speech said if the Government were returned we would have a repetition of all the horrors of the past—of Mitchelstown and Tullamore. There are no signs of it now. There is not a single patriot in gaol.

MR. WILLIAM O'BRIEN: It is you who have changed.

COLONEL SAUNDERSON: We hear nothing of coercion, with which hon. Gentlemen tried to arouse the feelings and sympathies of the English people.

AN HON. MEMBER: We succeeded.

COLONEL SAUNDERSON: I do not know whether you have or not; the next Election will test that. We hear no more about coercion now. If it existed then it exists still; but it rests with a light hand upon the Irish people that there is at the present moment under the Act not one single subject of Her Majesty in prison. In view of the condition of Ireland under the present resolute government of the Unionist Party, I say we have every confidence that the Irish people are not incorrigibly hostile to British rule, and that they will be able to appreciate the effort which Her Majesty's Government are now making in this Bill to give them the same measure of justice which they have given to England and to Scotland. And I earnestly hope that at the next Election the British people will reply by sending back a Unionist majority; and having learned from six years of resolute government how Ireland has been made a peaceful and happy country will enable Lord Salisbury and his colleagues to finish the other fourteen.

\*(10.40.) SIR GEORGE TREVELYAN (Glasgow, Bridgeton): I do not know whether the Government attach very much value to the defence of their Bill made by the hon. and gallant Member for North Armagh. The hon. and gallant Member on this occasion has made very much the same speech as he has made

upon every Irish question that has been before the House during the last six years. The taunts which he has directed at hon. Gentlemen who are immediately opposite him are precisely those which have been his sermon on whatever text was before the House at the time. But when I pass from what he said about the state of Ireland to what he said about the Bill, I doubt whether the Government could have been very well satisfied with the defence he made. I took down very carefully the substance of all that he said with regard to the Bill; and what were the arguments he used? In the first place, he began with a panegyric on Grand Juries as they are at present constituted, very much as we remember some county Members in the Debate on the English County Government Bill began by praising Quarter Sessions; and then, after a prolonged interval that was taken up entirely by attacks upon hon. Gentlemen who sit opposite him, he again referred to the Bill, and praised it for two reasons, and two reasons only. One was that the Bill did not give the power of dealing with malicious injuries to the new County Councils; the other, that the Bill did not give the control of the police to these new bodies. I ask the hon. and gallant Gentleman whether it would not have been a cheaper and a shorter way if the Government, in order to earn his panegyrics, had brought in no Bill at all, because then the control of the police would equally have rested outside the County Councils, and malicious injuries would still have been dealt with by Grand Juries. The hon. and gallant Member, even, could not give any animation to this Debate. It is a Debate on a foregone conclusion. I suppose there is no Member in this House, on either side, who believes that the first clause of this Bill will ever pass through Committee. Now, during this Session the Government have largely taken the time of Private Members. ("No!") Well, I think they have; at any rate, they have taken it tolerably freely. The consequence is, that Private Members are obliged to allow their abstract Resolutions to give way to Public Business; but here we have a Bill which is nothing more or less than an abstract Resolution, with this difference: that whereas an abstract Resolution brought forward by a Private Member takes a night or half

*Sir George Trevelyan*

a night, this Bill must in decency take four nights, because it is the great measure of the Session, and whereas at the worst Private Members waste a night here or a night there, the Government have wasted a Session. But we are bound to take this Bill of the Government just as seriously as if it was a serious measure. Towards this the right hon. Gentleman the Member for West Birmingham has brought a very valuable contribution. Nobody can deny, who listened to his speech, that it was a speech of very great power; and when I say that it did everything but raise the debating reputation of the right hon. Gentleman, I think I am paying the greatest compliment in my power. But in the whole course of that speech there was nothing that surprised me more than that he was able to keep his countenance so very well. There is one reason for discussing this measure as a reality. This is not a Debate for the House of Commons, but for the country at the General Election. The object is to enable the Government to say that, having carried through their Irish policy, having given us the Criminal Law Amendment Act, the Irish Purchase Bill, the Light Railways Bill, and the Drainage Bills, they are now putting the crown on their policy by giving a broad and generous measure of self-government to Ireland. On the other hand, it will be said that those whom the measure was intended to benefit have captiously, and fractionously, and ungratefully thrown it back in the teeth of the Government, and that they have been supported by the Liberal Party. As regards those whom the measure was intended to benefit—that is to say, the Irish Members—they have, I think, been able to hold their own in this Debate. No one who listened to the speech in which the hon. Member for West Belfast battered and pulverised the position that this was a real concession to Ireland will need anything more to explain to him why Irishmen vote as they are going to vote. But it is necessary that something should be said by Liberals on this side of the Channel likewise in order to prove—which I think it will be very easy to prove—that we look on this Bill as a measure of a fatal and most dangerous sort, a measure which professes to make a final and complete settlement of a great ques-

tion; but which really leaves it in such an unsatisfactory state, and deals with it in such a partial manner, as only to offer us disappointment in the present, and, if it is passed, disturbance and disorder in the future. I go at once to the contested question of Clause 5. It is very curious, indeed, to see how the Member for West Birmingham would treat this clause, and it was with a certain amount of surprise that I found that he went in heartily to defend it. I want to say a few words on the speech made two days ago by the hon. and learned Gentleman whom I see opposite. The Attorney General, if he will remember his speech, endeavoured to enlist all of us who sat upon this Bench in support of this clause by quoting certain passages from our previous speeches. I will only deal with the passage which he quoted from mine, and if he will allow me I will read it again. It is quite true that in April, 1886, I used the words which the Attorney General quoted, and I used other words as well. This was on the subject of the Local Government Bill which I shadowed forth as what ought to be given to Ireland—

“In the interests both of Ireland and of the British taxpayer,” I said, “I would make freely-elected Irish Local Bodies responsible for education—higher, middle, and lower; for the superintendence of Local Government; for poor relief, and for what is called the development of the resources of Ireland in every respect.”

That, I think, is a pretty large allowance of Local Government. Then I went on to say—

“To all these bodies I would allot with a generous hand, once for all, their share of the produce of taxation, so as to make them responsible for the local finances of Ireland; and what is required over and above should be raised by local taxation. To these bodies should be given full power over local taxation, but they should have no executive power over the incidence of local taxation, or over valuation or assessment, in order that injustice should not be done indirectly between class and class.”

Well, Sir, on this ground the right hon. and learned Gentleman claimed my support in favour of Clause 5; but how can he claim any such thing? In the first place, there is no fear whatever of County Councils doing any injustice with regard to valuation, because they have no power over it. The valuation in Ireland is not under this Bill, nor in

any previous Act, committed, as it is in England, to Assessment Committees and to Boards of Justices. It is managed entirely by the Government Office in Dublin. The valuation of a county, as everyone knows, is entirely the business of the Central Government; and as for assessment, the new County Councils will be surrounded by the most ample safeguards, which will give the cess-payers full power of appeal to the Quarter Sessions, and eventually to the High Court in case of injustice being done. But by Clause 5 of this Bill on the top of these safeguards a new provision is superinduced, and the County Councils may be brought before a tribunal in case they are charged with corruption, malversation, or oppression. I am not speaking as a lawyer, but as a layman; but I am satisfied that what I am now saying is just. Where penalties are to be inflicted, the law does not deal in generalities; it requires certain definite charges to be made against the accused parties. No man in this country is sent to prison on a general charge of dishonesty, but because he has obtained goods or money on fraudulent pretences. No man is sent to prison for cruelty, but for assaulting with intent to injure. But under Clause 5 a man, representing the views of the majority of the people of Ireland, may be brought before a tribunal composed of Judges, not a single one of whom holds the opinion of that majority, on a general charge of malversation, of dishonesty or oppression, which may be brought against him for political reasons. The right hon. Member for West Birmingham has spoken of the oppression and the personal injustice that have been charged against various Local Bodies in Ireland, and he has asserted that no fewer than ten Boards of Guardians were dissolved in Ireland during the time I held the office of Chief Secretary. I have not inquired into the matter, but I think that the right hon. Gentleman has considerably exaggerated the number. But, at any rate, the Boards of Guardians referred to were dissolved on quite different charges. They were dissolved because they did not carry out duties that were imposed upon them by Statute, which says that if the regular meetings of Boards of Guardians are not held at the times fixed, and the duties of such

Boards are not effectually discharged as required, the Local Government may have power to dissolve them. They cannot be dissolved for any other reason. It is the same with School Boards in this country, to which the right hon. Gentleman did not refer. If such Boards refuse to levy a rate, and refuse to build schools, then they can be pronounced to be in default, and may be dissolved. It is a very different matter, however, when you come to these vague political charges against the County Councils in the future. Some hon. Members have said that we ought at once to dismiss the Bill because it is not accepted by the majority of the Irish Representatives. That may be so or not, but it is rather high doctrine. I prefer to say that I should like to see what the Irish people ask for from a Local Government Bill. I think that they ask for two things: first, free and full management of their local affairs; and, secondly, that they should be able to get rid of every shred of the old system of ascendancy in local affairs. But this Bill is an ascendancy Bill in almost every line. It does not give free admission to all people—irrespective of class, of creed, or of politics—to the management of their local affairs. In proof of that I may mention the cumulative vote, which has been introduced into this Bill for the very purpose of protecting minorities.

THE CHIEF SECRETARY FOR IRELAND (Mr. JACKSON, Leeds, N.): Hear, hear!

\*SIR GEORGE TREVELYAN: The cumulative vote, however, is applied to the counties, not to boroughs. Why is it not applied to the boroughs? Not on account of the Protestant minority. The Protestant minorities want no protection in the towns of Ireland, for in those towns in which there is a majority of Roman Catholics the Protestants have their fair share of representation on the Town Councils and of posts in the borough administration. This is, however, not the case in one or two places where there is a Protestant majority, and notably in Belfast, where the system of religious ascendancy is continued, and where the Roman Catholics, though forming a large proportion of the population, are excluded from all local representation and control. Then there is the question of the municipal vote; for while the

*Sir George Trevelyan*

broadest franchise has been generously extended to the boroughs of Ireland, one great exception has been made in the case of the City of Dublin, where the old ascendancy is still maintained in the municipal vote in the interests of one class. What reason has been given for this exception? It is that Dublin has a special Act of its own. That is a lawyer's reason; it is not a House of Commons' reason. It is not a political reason, and it is not a reason which the people can understand for the purpose of retaining the state of things under which, in the Municipality of Dublin, a few thousands vote at the municipal elections, whereas some 40,000 voters take part in the Parliamentary election. Then we have the question of the illiterate votes. The abolition of the illiterate vote is made quite confessedly. I heard the speech of the hon. Member for Mid Armagh (Mr. Barton), and on this subject he was very full and frank. It is unquestionably meant to injure one party only, and that party is not the party of ascendancy. I am not here to defend or attack the illiterate vote on its own merits. I have read the old Debates in this House on the subject. I was present during the Debates to which I refer. To whom does the illiterate vote owe its origin? To the late Leader in this House of the Conservative Party, who brought forward the question of the illiterate vote on 29th April, 1872, and if he did not carry it that very day, yet the next time the House met to consider the Ballot Act it was carried by the Conservative Party and the Irish Members. Now that Party, which justly reveres its late Leader, will have to say why they supported him on that occasion and why they go against his views now. I myself say nothing about the illiterate vote except this—that when the question comes on it must be considered as a whole, and that I am not going to vote for a special Bill abolishing the illiterate vote in a country which values it, and which was always in favour of it. ("No!") Well, the great majority of the Irish Members were always in favour of it. The illiterate vote must be considered on its merits, and not merely as a question of inflicting on Ireland something which you have spared to England. The question of ascendancy



is not only involved in what the Bill enacts, you also see it in its omissions; and I consider a very serious omission in this Bill is the failure to deal with the question of the Justices of the Peace in Ireland. I cannot understand how a Local Government Bill that can really be supposed to satisfy the Irish people can be complete when you leave untouched the state of things at present existing. Talk of ascendancy! Why, in the County of Tyrone according to the last census more than half of the population is Catholic, and out of the one hundred and thirty-eight Justices of the Peace only nine are Catholics. In Wicklow five-sixths of the population are Catholics, and out of one hundred and four Justices of the Peace only five are Catholics. In Fermanagh more than half the population is Catholic, and out of one hundred and seventy-four Justices of the Peace only one is Catholic. We Scotch Members and the great majority of the English Members on this side have voted in favour of a measure for the purpose of improving our Local Government, by giving to the County and Municipal Councils a voice in the choice of Justices. Perhaps the best governed towns in the island are the Scotch towns, and there the Justices are elected. I say it is indeed very meagre fare to the Irish people to offer a Local Government Bill which does not do something towards bringing the Justices of the Peace in some degree in accordance with the opinions and religion of the people. Of course the strongest point of all is the Joint Committee. It is quite idle to refer Irish Members to Scotland. Scotch Members protested most vigorously against the appointment of the Joint Committee, but they protested in vain, and the same occurred in the case of the English measure. But the case of Scotland and the case of Ireland are entirely different, because in Scotland the Joint Committee is kept solely for the purpose of capital expenditure, and that capital expenditure in the old days was entirely defrayed by the landlord and half of the county rates also by the landlord. But in Ireland almost the whole of the county cess is paid not by the landlord but by the occupier, and yet this Joint Committee is being composed of landlords—it is idle to talk about great cesspayers—and of men

interested in the landlord class. This body will have the County Council in leading strings, for the County Council without the consent of the Joint Committee is unable to make any capital expenditure—to construct any roads, bridges, water supply, or to acquire land. They cannot do anything towards supplying houses for the working classes, towards carrying out the Labourers Act, all of which cost money. They cannot even borrow money for the purpose of consolidating the debt, so that the splendid operations of the hon. Member for West Belfast (Mr. Sexton) as Mayor of Dublin could not have been carried out if he had been the Chairman of the County Council. The majority of gentlemen were so little in sympathy with these elected bodies that the right hon. Gentleman opposite has been obliged to create a number of protective clauses. Again, the principal officers of the County Council are not chosen by the County Council. The two principal officers are chosen by the Joint Committee. I suppose there is no one thing for which Irishmen more desire Local Government than as a means of stopping what some of them call jobbery, and which all of them call patronage. And yet the most important posts in the hierarchy of the County Council officers are retained in the hands of a close body. In Scotland, where there is a Joint Committee, the appointment of the Clerk of the Peace and of the County Surveyor is given over absolutely to the County Council, and the result is increased satisfaction. In Scotland, too, the servants of the County Council are its servants, whereas in England these servants were appointed by the Joint Committee, and often prove the masters. One more point. The Joint Committee has the power of hindering the County Council from discharging any officer whom they find in existence at the time of their creation. A high scale of compensation practically debarred the County Council from dismissing its own officers, and yet in Clause 73, sub-section 4, there is absolutely put forward an invitation to appoint baronial constables and other officers up to the Assize before the passing of the Act, in order that when the new County Council comes in it may find a complete set of these officials provided. The hon. Member for Mid

Armagh said this Bill included safeguards which would protect his opponents, and not his supporters. He said that Ulstermen wanted to remove the ascendancy. How does this Joint Committee protect the opponents of the hon. Member? It surely is almost a farce to say that the seven Grand Jurymen and the Sheriff, whom we were told by the hon. Member for South Antrim (Mr. Macartney) is the youngest and probably the most dependent member of the band of country gentlemen, will be a protection for the minority of Catholics and Nationalists in Ulster against the majority of the County Council, which is elected by those who agree with the hon. Member. This provision is retained simply for the purpose of preserving as much of the ascendancy as can be preserved in those counties where the people opposed to ascendancy are quite sure of getting a majority. Before I sit down I just want to say one word about the comparison of this Bill to that of Scotland. We have been asked to-day in very pointed words whether we want anything broader than the Scotch and English Bills. In the first place, this Bill is not so broad as the Scotch Bill; I doubt if it is as broad as the English Bill. The Scotch Bill was large and broad enough for this Parliament, but if that Bill had come—I will not say from a Scotch Parliament—from a Select Committee entirely composed of Scotch Members it would have been more an example and precedent for Ireland. But large or small, it is idle to offer to Ireland a scheme of government founded upon the lines of countries with whose political history, with whose social and economical condition Ireland has nothing in common. The scheme of Local Government for Ireland should, therefore, instead of being smaller, be larger and broader, in order that it may make amends for the past; and in order that it may work well for the future it ought to be full, bold, fearless, comprehensive, and, above all, it ought to please Irishmen and satisfy them. But, as far as I can see, this scheme of the Government has nothing Irish about it except certain provisions dictated by the bad old central spirit of Irish Government, and which have been put in for the purpose of thwarting Irish aspirations; and the blots of this Bill are not Irish merely.

*Sir George Trevelyan*

The Statute-books have been ransacked to find in Education Bills, Poor Law Bills, and Local Government Bills precedents which can be brought to bear against the will of the majority of the Irish people. Sir, the Government might have done one of two things. They might have said that they would not stir in the question as long as it was necessary to govern Ireland under exceptional criminal laws, and in that case I venture to say they would have been supported by the whole of their Party on both sides of the House. On the other hand, they might have brought in a thorough, comprehensive, generous Local Government Bill; and in that case that Bill would by this time have been well on its way to the House of Lords. But they have done neither the one nor the other. They have brought in a Bill which cannot pass, which is not meant to pass, and which, if it is passed, cannot possibly set up a scheme of government which would endure. Ireland will lose nothing, and the sincerity of the deliberations in this House will gain a great deal if this Bill, which has been five years in the pigeon-hole and three months lately on the shelf, is now consigned to the waste-paper basket by the most summary process that Parliament can devise.

MR. JACKSON: The right hon. Gentleman (Sir George Trevelyan) has travelled over a good deal of ground, and he has, at all events, accomplished one object—that is, he has completely answered two of the speeches which have been made from the Benches opposite, complaining that the Bill now before the House was a bad Bill, because it did not follow on similar lines to the English and Scotch measures. The right hon. Gentleman has laboured the point for some time to prove to his own satisfaction and the satisfaction of others that no Bill based on the lines of the measures for England and Scotland could possibly satisfy the Irish people. Sir, my right hon. Friend has had some experience of Ireland, and he lays down the proposition that a Bill, to be satisfactory to the House, ought to satisfy everything Irishmen may desire. I do not know whether his experience in endeavouring to satisfy Irishmen on Irish questions has led him to be sanguine that, even if he occupied the position I have the honour to fill to-day

he would be able to achieve success in that direction. Now, Sir, the right hon. Gentleman has referred in some detail to the Bill, and I propose to deal with one or two of the points as they arise in their order. Before, however, coming to the merits of the Bill itself, I should like to say one or two words upon the more general questions that have been referred to by hon. Members. The hon. Member for Belfast (Mr. Sexton) has given a very amusing, and I may perhaps say a very imaginative, description of the Bill. I think anyone who has read the Bill would fail to recognise in his criticisms any portion of it. The hon. Member for West Leeds (Mr. Herbert Gladstone), whose intervention in the Debate I gladly welcomed, practically followed the criticisms of the hon. Member for West Belfast; but my hon. Colleague went a little further and devoted a large portion of his speech to a criticism of the action of the Government, and made charges, which have since been echoed, of broken pledges on the part of the Government. I desire to make some reference to that point. Well, Sir, it is true, as has been said, that the Government, in a speech from the Throne, promised Local Government for Ireland on the same lines, and practically at the same time, as the measures for England and Scotland. But it should be remembered that it is not in the power of a Government to dispose entirely of the time of the House in the manner they may desire. I should like to remind the House of what has been done during the period in which it is said we should have kept our promise. In 1888 the Government dealt with Local Government for England, and in 1889 with Local Government for Scotland. Therefore it may be said the Government might have dealt in 1890 with Local Government for Ireland. Well, the House is very well aware that during that time Ireland was not neglected by the Government. A large portion of the time of the House was devoted to legislation for Ireland, and I should be surprised if any hon. Member were to get up and charge the Government with having passed legislation during that period of less importance than a Local Government Bill. In the years 1890 and 1891 the Government were busily engaged in passing the important

and beneficial Land Act for Ireland and the measure dealing with light railways, which I believe will confer upon Ireland enormous advantages. They passed measures dealing with the relief of distress in Ireland, and also an important measure dealing with the congested districts of Ireland. The hon. Member for North Longford (Mr. Timothy Healy) has spoken to-night with some force, and with some apparent sincerity, as to his desire to see certain powers extended to the Irish representative authorities which this Bill does not provide for. He spoke of improving the breed of poultry, horses, and cattle, of improving agriculture, and of several other matters affecting the welfare and prosperity of Ireland. But the hon. Member did not remind the House that, by the measures passed during the period I have already referred to, every one of these subjects is now being dealt with by the Congested Districts Board.

MR. TIMOTHY HEALY: I do not wish to say anything disrespectful of the Congested Districts Board, but I believe it to be a humbug, pure and simple.

MR. JACKSON: Of course the hon. Member is entitled to hold his own opinion as to the Congested Districts Board, but I hope that when the result of the work done by that Board is put before the House he will have the opportunity of convincing himself that the efforts of that Board to remedy defects and to benefit the people in the congested districts in Ireland is not a sham at all but a reality.

MR. TIMOTHY HEALY: Why did you put Horace Plunkett on the Board?

MR. JACKSON: Although the Government might have brought in a Local Government Bill in 1890, yet it cannot be said that the time was not devoted to Ireland and to measures which will confer upon that country benefits no less than those conferred by any Local Government Bill. While I contend that the Government have fulfilled their pledges, given both at the Election and in the Queen's Speeches, I would point out that there have been previous occasions when Governments, even with the best intentions, have not been able to fulfil their hearts' desire as regards legislation for Ireland. In 1880 there was a Queen's

Speech in which the House was told there was to be no more coercion. In 1881 a promise of a Local Government Bill for Ireland was made, and in 1882 the Queen's Speech promised a County Government Bill for London, and Ireland was to be reserved. But instead of the Local Government Bill promised in the previous year there was substituted what I think I may describe as the most severe coercion measure that was ever passed in this House. In 1883 there was again another promise of Local Government for the Metropolis, which was repeated in 1884, but not a single one of these measures was passed into law. I do not blame the Government of that day, but I mention these facts to show that perhaps a Queen's Speech is sometimes rather the measure of the hopes of the Government as regards legislation than of any certainty that the promised legislation will be passed. However, I deny that the Government have broken their pledges; on the contrary, I assert that the Government have fulfilled their pledges as regards legislation for Ireland, and are now endeavouring to fulfil the last in this Bill for Local Government in Ireland. There has been a good deal of criticism of the Bill, and I will deal with two or three of these criticisms only, because I feel that, after the speech of the right hon. Gentleman the Member for West Birmingham (Mr. Chamberlain), my task is made much easier. I think anyone who listened to the speech of the hon. Gentleman the Member for West Belfast (Mr. Sexton), and who had not read the Bill, would hardly have realised the enormous exaggeration the hon. Member has given to the restrictions contained in the Bill. These exaggerations have been exposed, and, I think, most effectually disposed of in the speech of the right hon. Gentleman the Member for West Birmingham to-night. But there are one or two charges made by the hon. Member (Mr. Sexton) to which I desire to refer. The Bill, he said, is founded on mistrust of the people; and in order to test that question, it is desirable that we should consider—first, the form of the measure itself and the basis on which it is founded, and then the peculiar circumstances of the country to which it refers. I venture to submit to the House that, so far is the Bill from evidencing any distrust of the people on

*Mr. Jackson*

the part of the Government, it shows that the Government are willing to trust the people to the largest extent, and I submit that the Bill in this respect is much more far-reaching than the English or the Scotch Bill. I have heard it stated that, speaking broadly, England may be described as three-fourths urban and one-fourth rural; and practically in the urban districts of England Local Government existed already, when the Bill was introduced, throughout the length and breadth of the land. But the conditions in Ireland are practically the reverse of those in England. I shall not be very wide of the fact in stating broadly that the urban population of Ireland is one-fourth and the rural population three-fourths of the whole. Therefore, while the English Bill brought Local Government by popularly-elected bodies to a fourth of the population, the Irish Government Bill applies to three-fourths of the Irish population. In other words, it gives for the first time to three and half millions of the people of Ireland, out of 4,700,000, local self-government. There is another view of the question I should like to present to the House. There are some remarkable figures contained in a Return which tell us how great a change this Bill will introduce. It must be borne in mind that county government in Ireland has hitherto been in the hands of the Grand Juries. It is now proposed to transfer the whole administration of county government not only as regards County Councils but as regards Baronial or District Councils entirely to popularly-elected bodies. ("No!") I assert it as a fact, and the Bill bears out my statement. In the Return of Ratings in Ireland the figures come out showing that out of a total of 1,184,234 ratings in Ireland 46 per cent. are under £4 a year, and the ratings under £10 are 72 per cent. of the whole. Speaking generally, I say these figures show that the majority of those who will be called upon to elect the Councils will be ratepayers rated at £5 and under.

MR. TIMOTHY HEALY: Will the right hon. Gentleman allow me to ask, does this include urban ratings?

MR. JACKSON: Yes; but I think the hon. and learned Gentleman quite overlooks the fact that this makes my case still stronger, inasmuch as urban



ratings, which are included in the average, are much higher than rural ratings.

MR. MATTHEW KENNY (Tyrone, Mid): No, it might be a single room in a house in Dublin separately rated.

MR. JACKSON: I think it strengthens my case because, so far as I can see, urban ratings are generally much higher than rural ratings. There are further figures showing that, out of 760,000 inhabited houses in Ireland, 435,000 are rated at £1 per annum or under, and 226,000 rated at between £1 and £4. Therefore, you have nearly nine-tenths of the inhabited houses in Ireland rated under £4 per annum. I mention these figures to show the enormous change which will be made by the Bill in placing the power of managing the whole of the affairs connected with County Government in the hands of bodies elected by these rate-payers. ("No!") These figures go to show that the measure is well described as a broad and generous measure, and that it shows no distrust of the people. I wish I could think there is no distrust of the people on the part of hon. Members opposite. There is another Bill before the House at this time—the Irish Education Bill—and this Bill proposes to entrust to Committees to be appointed by popularly-elected bodies the important work of ensuring attendance of children at school. I hope I have mistaken indications; I hope I may be wrong in anticipating opposition from certain quarters; but unless I am much mistaken, the only Members who have shown mistrust of the people in regard to this important duty, which is certainly not less in importance for the welfare and prosperity of Ireland than these duties of Local Government, are the hon. Member for West Belfast and his political friends. However, I may be wrong in my anticipations, and it may be that hon. Members will not show that mistrust of popularly-elected bodies in regard to the Education Bill. Now a word on the protection of minorities. Reference was made by the hon. Member for West Belfast, and repeated by the right hon. Gentleman who has just sat down, to the Government not having dealt with this Local Government Bill with the franchise connected with Dublin and Belfast. I can assure hon. Gentlemen they never were under a greater mistake than in

supposing there is any intention on the part of the Government of leaving out Dublin and Belfast from this Bill to obtain some political advantage. There are no such cities as Dublin and Belfast dealt with in the English and Scotch Acts. ("How about London?") They are entirely outside the scope of the Bill.

MR. TIMOTHY HEALY: Did the right hon. Gentleman omit Dublin and Belfast from his rating figures just now?

MR. JACKSON: They do not affect the average in reference to my point. I say that it never was intended for these. The Bill is intended to transfer the powers hitherto exercised by the Grand Juries in the administration of fiscal affairs of counties to these County Councils and Baronial Councils just as the Act for England has transferred to County Councils the powers heretofore exercised by Quarter Sessions. Now, as regards protection to minorities, I think I may take it that the principle is practically admitted. It has been recommended strongly by the hon. Member for West Belfast and by the hon. Member for Cavan (Mr. Knox), in the case of the Belfast Corporation Bill. When the Belfast Corporation Bill was before the House, the hon. Member denounced the Protestant majority for their treatment of Roman Catholics in Belfast, and contended for protection for the minority.

MR. KNOX: I advocated protection by a redistribution of wards. I said if cumulative voting were allowed at all it should be in Belfast.

MR. JACKSON: I was speaking of the principle, and I said the hon. Member contended strongly for the principle when the Belfast Corporation Bill was before the House. The hon. Member said he objected to the Bill

"Because it sets up a religious tyranny over the Catholic electors in the City of Belfast."

The hon. Member went on to say—

"As a Protestant I deplore with sincere regret that the Corporation of Belfast cannot be persuaded to give fair play to the members of the Catholic religion."

MR. KNOX: Hear, hear!

MR. JACKSON: The hon. Member cheers that statement, and, therefore, he contends for the principle of protection to minorities. I maintain it was his

intention and desire to secure for the minority a protection the Bill did not give.

Mr. KNOX : In Belfast.

Mr. JACKSON : Does the hon. Member, speaking, as he said, as a Protestant, only desire it in Belfast? Has he no sympathy for a minority in any other part of Ireland than Belfast?

Mr. KNOX : My contention was that there was no majority in any other part of Ireland which would act as the majority in Belfast have acted.

Mr. JACKSON : I think that statement hardly requires refutation. The hon. Member stands up here and says that in his opinion the only people likely to exercise oppression or undue influence are the people of Belfast. He is of opinion that in every other part of Ireland Protestant minorities will suffer no inconvenience. He carries his criticism still further, for he states that in Belfast it would be a political advantage to the minority, and he would give representation to the minority in Belfast but not elsewhere. Now, something has been said about the proposal to leave the fixing of boundaries to the Lord Lieutenant. I should have thought the hon. Member for West Belfast would have taken no objection to this, because in a Bill which bears his name on the back the very same provision was made only so short a time ago as 1888. What we have endeavoured is to find some plan, believing it to be the general wish of Members on both sides of the House, for the representation of minorities insuring some representation however small for a minority. There are only two ways by which this can be done, so far as I know—by single Member constituencies or by the cumulative vote. It is not possible to find single Member constituencies in Ireland that would give minority representation in certain counties to every minority that exists. What has been done is this: We have had maps prepared by the Ordnance Survey Department, which I need hardly say is a Department altogether apart from any Party influences, the instructions given being that they should not cut any baronial boundaries, and should divide constituencies into the most convenient form both for working and for representation. It is the intention of the Government to put these maps in the Library

*Mr. Jackson*

during the Committee stage of the Bill; and if hon. Members should desire it, thinking the arrangement is not the best that can be adopted, we shall have no objection to the appointment of a Commission to report and devise some better plan. There is no idea of jerry-mandering constituencies or making arrangement with a view to political advantage. Now, I have not time to deal with other questions which are certainly of some importance; but I would venture to point out that, as regards the question of safeguards and of Joint Committees, there has been, I think, a great deal of exaggeration. Full effect has been given to the question of Joint Committees by the right hon. Gentleman the Member for West Birmingham. He has clearly shown that the Joint Committee will have no power or voice in control of or interference with the ordinary administration of the county. I go further, and say as regards administration, the Joint Committee has no power or authority as regards current income, or even as regards capital expenditure. The Joint Committee has no power of interference, and is never brought into contact with the County Council in its administration, and I, for one, rather regret this is so, because I do not agree with those who would seek to continue the separation of class from class. I would like to see them working together for the good of the whole. The bodies to be elected for localities may be entirely inexperienced, and, in my opinion, it would be an enormous advantage if it were possible to bring to bear the accumulated experience of Grand Juries in county administration in combination with the energy of the bodies to be elected under the Bill.

Mr. TIMOTHY HEALY : Why is it not in the English Bill?

Mr. JACKSON : The question was dealt with, and there was found no necessity in the English Bill. It is justified for Scotland on the ground that landlords pay a portion of the rates, and it can easily be justified for Ireland by the fact that landlords pay a large portion of the cess directly and a larger portion indirectly. It is perfectly well-known that in fixing fair rents the amount of the cess paid by landlord and tenant is taken into account. My time is exhausted and I am sorry I cannot

deal at greater length with the subject. All I need say, in conclusion, is, the Government have introduced a Bill which they believe to be wider in its application as regards Ireland than the Acts passed for England and Scotland. They believe that if the Bill is passed it will confer great benefit on Ireland, and will instruct the people in the art of self-government, and will tend to break down the divisions between classes. The Bill has been honestly introduced with the intention to benefit Ireland, and if Ireland has to wait for the Bill it will not be the fault of the Government, the responsibility must be with right hon. and hon. Gentlemen on the other side of the House.

Motion made, and Question proposed, "That the Debate be now adjourned."—  
(Colonel Nolan.)

Motion agreed to.

(11.59.) ~~Debate~~ further adjourned till to-morrow at Two of the clock.

#### GALWAY INFIRMARY BILL.—(No. 350.)

##### SECOND READING.

Order for Second Reading, read.

(12.2.) MR. JACKSON: I think there is a general opinion in favour of the Bill. The circumstances are known. The Bill has been reported upon by the Examiners.

Motion made, and Question proposed, "That the Bill be now read a second time."—(Mr. Jackson).

(12.2.) MR. TIMOTHY HEALY: I do not object to the ~~Second~~ Reading of the Bill, but I do complain of the way in which the Government have dealt with this question. It should be dealt with as a whole. The Attorney General must know the miserable plight in which Infirmarys are throughout Ireland. Here in the case of Galway the Government propose a different system, not an ideal system by any means, but a decent system, by which Galway will get rid of the prevailing influence of the parsons in the management of the Infirmary, but in the South of Ireland we are crowded out by parsons on the Boards, because it is held that a section of the Church Act of 1869 does not affect the right of parsons to sit on these Boards. This decision was arrived at by the Irish Court of Appeal, three Judges reversing the decision of six Judges, four of the

Queen's Bench Division, and two Judges who sit in the Court of Appeal. It is a great anomaly and a great evil that under an old statute of the Irish Parliament parsons should have this right which is denied to ministers of other religious denominations, Catholics, Presbyterians, or Methodists. There is an example in the Cork South Infirmary of this appropriation of the power by parsons on the Board, where reform is needed quite as much as in Galway. Why do not the Government make the alteration general? The Protestant Church, for good or ill, is disestablished in Ireland, and for good or ill all religious denominations are put upon an equality. Why, then, should a system be allowed to continue under which clergymen of the Protestant Church in Ireland are *ex officio* members of Infirmary Boards, while Catholics, Presbyterians and Salvation Army captains are excluded? It is a well-known scandal. I do not know that I should be in order in attempting to give the Bill a general application, but I must protest against the Government dealing with the matter in this partial manner.

MR. JOHNSTON: I must object to discussion being taken at this hour.

MR. T. M. HEALY: I do not object to Galway getting the advantage now; but it is a strange thing that the Government should leave the evil untouched in the rest of Ireland.

(12.7.) MR. PINKERTON (Galway): I trust my hon. Friends will put some restraint on their rhetorical powers, and not prevent this Bill being passed for Galway. It is not possible upon this Bill to extend the provisions to the rest of Ireland.

Motion agreed to.

Bill read a second time, and committed for To-morrow, at Two of the clock.

#### CUSTOMS AND INLAND REVENUE BILL.

##### COMMITTEE.

Considered in Committee.

(In the Committee.)

Clause 1.

(12.8.) MR. BARTLEY (Islington, N.): I appeal to the Chancellor of the Exchequer to agree to report Progress. There is a matter of great importance

desire to raise, and which I have expressed my intention to raise—namely, the question of differential rates of Income Tax on incomes derived from industry and spontaneous incomes. It is a question upon which there is keen public interest. I refrained from raising the subject on the Resolutions in the hope and expectation that the Committee stage would be taken early in the sitting, and afford a more convenient opportunity for discussion. I trust the right hon. Gentleman will now consent to a Motion to report Progress.

Motion made, and Question proposed, "That the Chairman do report Progress, and ask leave to sit again."—(*Mr. Bartley.*)

(12.9.) THE CHANCELLOR OF THE EXCHEQUER (Mr. GOSCHEN, St. George's, Hanover Square): I hope my hon. Friend will not press this Motion. The question to which he refers is no doubt of importance, but I am quite sure the Committee will be prepared to listen to the hon. Member, and I have not heard there is any desire for a prolonged discussion. The question is important, and is so surrounded with complications and difficulties that we cannot hope to take any action in the direction my hon. Friend wishes in this Session. I hope he will allow us now to make progress with the Committee, and it will be generally admitted it is desirable we should do so.

(12.10.) SIR JOHN COLOMB (Tower Hamlets, Bow, &c.): The subject my hon. Friend desires to raise is of very great importance, and I do not think opportunity is given for its discussion commensurate with its importance. It is of vital concern to a large portion of the taxpayers of this country, and I think there is a general consensus of opinion in favour of some distinction being made in the assessment on incomes derived from personal and individual industry and incomes arising from capital. I do trust an opportunity will be afforded for the discussion, an opportunity which does not present itself at this hour.

(12.11.) MR. THOMAS H. BOLTON (St. Pancras, N.): There is another question arising on Clause 4—the system under which small properties are charged on the gross instead of the net rental,  
*Mr. Bartley*

whereas repairs are exceedingly heavy and owners are most unfairly charged upon incomes they do not receive. This is a question it is desirable we should discuss in Committee, and I hope a convenient opportunity will be afforded for the purpose.

(12.12.) MR. BARTLEY: May I suggest to the right hon. Gentleman that we should dispose of the first two clauses? If I am compelled to introduce the subject to-night, I am afraid I should reluctantly be compelled to detain the Committee to a late hour.

MR. TIMOTHY HEALY (Longford, N.): I think it would have been more fair to Members if the hon. Gentleman had put his notice on the Paper. I do not think it is fair to detain us here now. Committee work is not its power or voice in control of or interference with the ordinary administration of the county. I go further, and subject regards administration has given no formal notice.

(12.13.) MR. BARTLEY: I regret that my notice is not on the Paper; but I may explain that I could not give notice until after the Second Reading, and I was out of the House when that stage was taken, and was not aware until it was too late to put down a notice that it was intended to take the Committee to-night. That is partly the reason why I ask that the working stage should be deferred for the whole. The

(12.14.) MR. GOSCHEN: Localities may it right to put experienced, and, in this evening that my hon. Friend might not lose the chance of bringing forward his Motion. I do not wish to force the Committee now if there is any general desire that we should report Progress; but I do certainly desire to make progress with the Bill. I do not know what may be the view of hon. Members, but I am perfectly prepared to give the hon. Member his opportunity now, even though we sit a little longer than usual.

(12.15.) DR. TANNER (Cork Co., Mid): I think the compromise suggested by the hon. Member might be accepted, though I am not sure that it is quite fair to the newly and a larger present, among what it is perfectly well understood that fixing fair rents the night would be paid by landlord and The Chancellor of the Exchequer to account. My time be aware that I am sorry I cannot



arise in reference to the maintenance of the Tea Duty, and the change proposed in the duty on sparkling wines. Perhaps, all things considered, it would be the wiser course to report Progress now.

Question put.

(12.15.) The Committee divided:—  
Ayes 29; Noes 84.—(Div. List, No. 138.)

(12.25.) MR. TIMOTHY HEALY: I think we might agree to report Progress having disposed of Clauses 1 and 2; that I think would be a reasonable concession for the right hon. Gentleman to make.

\*(12.25.) MR. GOSCHEN: If we pass Clauses 1 and 2 I shall be willing to ~~move~~ <sup>to report Progress</sup>, provided that it "That the Debate be now ~~on~~ <sup>the</sup> Bill on (Colonel Nolan.) may not Motion agreed to. the Vote

11.50 Debate further ad's possible on Thursday I would suggest that we might dispose of the Vote on Account, and take this Bill about eleven o'clock, but we must take our chance of that.

(12.26.) DR. TANNER: I want to explain to the Chancellor of the Exchequer that when he talks of disposing of the Vote on Account at an early hour—.

THE CHAIRMAN: That has nothing to do with the question that Clause 1 "That the of the Bill.

time."—(Mr. TANNER: Then, Sir, about

(12.2.) MR. TIMOTHY HEALY: Several hon. Members went to the Secretary's strong disapprobation of keeping this Tea Duty, and I am very sorry not to see the hon. Baronet connected with the total abstinence business in his place. He has frequently raised his voice in favour of Local Option, and would, I am sure, join with the hon. Member for Leicester and others in condemning the maintenance of this duty on tea. I would suggest to the Chancellor of the Exchequer that he might raise the hopes of his Party at the next General Election by a remission or reduction of this Tea Duty. Seeing that in the next clause the duty on sparkling wine is to be raised, I think this would be of policy for the Church Act of 1865 of policy for the right of parsons to sit

This decision was arrived

Court of Appeal, through

the decision of six JIMOTHY HEALY:

would call attention to  
[FOURTH SERIES.]

the passage of the Prime Minister's speech at Hastings in reference to retaliatory tariffs to contrast it with the policy of the Chancellor of the Exchequer in repealing the Customs Wine Duties of 1888. That Act of 1888 had an important bearing on the policy of retaliatory tariffs, but you are now proposing to sweep away the power of reprisal. You do this because you are unable to rely on the word of the importer. At a time when Her Majesty's Government are talking of going back to the days of retaliatory tariffs, and of compelling merchants to show their invoices and things of that kind, here they are abandoning the principles established so recently as 1888. The Act of 1888 was to some extent in favour of the poor man, while the present proposal is in favour of the rich.

(12.30.) DR. TANNER: I think we ought to have some answer from the Chancellor of the Exchequer, else it may become our duty to move an Amendment reducing the duty to one shilling from two shillings.

\*(12.31.) MR. GOSCHEN: I do not know that the hon. and learned Member meant more than a protest. I do not understand that he asked me any question. I referred to this matter in my Budget statement when I pointed out that some slight friction arose in carrying out the arrangement by which the higher class wines paid an additional duty. I do not agree that the lighter sparkling wines are largely used by the poorer classes in the community, and certainly we have no intention to benefit the more wealthy consumers, or to introduce any general system of *ad valorem* duties.

(12.32.) DR. TANNER: I may take some satisfaction to myself, inasmuch as in 1888 I pointed out the bad policy of giving an advantage to these cheap sparkling wines, which were often of a very deleterious nature.

(12.33.) MR. TIMOTHY HEALY: Perhaps the right hon. Gentleman will say, for I do not recollect his Budget speech, how much he anticipates will be the increase in the Revenue from this change?

(12.33.) MR. GOSCHEN: I stated that the increase would be extremely small; the turn will be just in favour of the Revenue to some £10,000.

Clause agreed to.

Committee report Progress, to sit again upon Thursday.

**GAS PROVISIONAL ORDERS BILL.**  
(No. 295.)

Read the third time, and passed.

**LOCAL GOVERNMENT PROVISIONAL ORDERS (No. 2) BILL.—(No. 287.)**

Read the third time, and passed.

**LOCAL GOVERNMENT PROVISIONAL ORDERS (No. 6) BILL.—(No. 307.)**

Read the third time, and passed.

**PIER AND HARBOUR PROVISIONAL ORDERS (No. 2) BILL.—(No. 304.)**

Order for Third Reading read, and discharged; Bill re-committed in respect of Clause 35 of the Fleetwood Order; considered in Committee, and reported; as amended, considered; Bill read the third time, and passed.

**PUBLIC HEALTH (SCOTLAND) PROVISIONAL ORDER (BATHGATE WATER) BILL.—(No. 348.)**

Read a second time, and committed.

**MORTMAIN AND CHARITABLE USES ACT AMENDMENT BILL.**

**CHANGED FROM  
LOCAL AUTHORITIES (ACQUISITION OF LAND) BILL.**

Lords Amendments to be considered forthwith; considered, and agreed to.

**TOWN HOLDINGS.**

Report from the Select Committee, brought up, and read.

Report to lie upon the Table, and to be printed. [No. 214.]

Minutes of Proceedings to be printed. [No. 214.]

**ACCUMULATIONS BILL.—(No. 277.)**

Considered in Committee.

(In the Committee.)

Clause 1.

Committee report Progress; to sit again upon Thursday.

**WITNESSES (ROYAL COMMISSIONS AND PARLIAMENT) PROTECTION BILL.**

Special Report from the Select Committee on Witnesses (Royal Commission and Parliament) Protection Bill brought up, and read.

Witnesses Protection Bill reported, without Amendment.

Witnesses (Royal Commissions and Parliament) Protection Bill (changed to "Witnesses Protection (Public Inquiries) Bill") reported; Bill, as amended, to be printed [Bill 365]; re-committed to a Committee of the whole House for Thursday.

Special Report and other Reports to lie upon the Table, and to be printed. [No. 216.]

**MILITARY LANDS CONSOLIDATION BILL.**

Select Committee on Military Lands Consolidation Bill nominated of,—Mr. Beaufoy, Colonel Blundell, Mr. Penrose FitzGerald, General Goldsworthy, Mr. Gourley, Sir Henry Havelock-Allan, Mr. Jeffreys, Sir John Kennaway, Mr. Shaw Lefevre, Viscount Newark, Colonel Nolan, Mr. Paulton, Mr. Stevenson, and Mr. Brodrick.

Ordered, That the Committee have power to send for persons, papers, and records.

Ordered, That Five be the quorum.—(*Mr. Brodrick.*)

**ISLE OF MAN (CUSTOMS) BILL.**

On Motion of Sir J. Gorst, Bill to amend the Law respecting the Customs Duties in the Isle of Man, ordered to be brought in by Sir J. Gorst and Mr. Chancellor of the Exchequer.

Bill presented, and read first time. [Bill 363.]

**FISHERIES (OYSTER, CRAB, AND LOBSTER) ACT (1877) AMENDMENT BILL.**

On Motion of Sir E. Birkbeck, Bill to amend and explain "The Fisheries (Oyster, Crab, and Lobster) Act, 1877," ordered to be brought in by Sir E. Birkbeck, Mr. E. Knatchbull-Hugessen, Sir Reginald Hanson, and Mr. T. P. O'Connor.

Bill presented, and read first time. [Bill 366.]

**CHIMNEY SWEEPERS BILL.**

On Motion of Sir J. Colomb, Bill to make better provision for the registration and regulation of Chimney Sweepers, ordered to be brought in by Sir J. Colomb, Mr. Bartley, Mr. Labouchere, Mr. King, Mr. Charles Wilson, and Mr. H. S. Wright.

Bill presented, and read first time. [Bill 367.]

**ADJOURNMENT.**

Motion made, and Question proposed, "That this House do now adjourn."

**MR. TIMOTHY HEALY:** Will the right hon. Gentleman say whether the Government intend to closure the Debate on the Irish Local Government Bill to-morrow evening?

**THE FINANCIAL SECRETARY TO THE TREASURY** (Sir J. GORST, *Chatham*): That is a question I am unable to answer. I have heard nothing of any such intention.

Motion agreed to.

House adjourned at ten minutes before One o'clock.

## HOUSE OF LORDS,

Tuesday, 24th May, 1892.

UNIVERSITIES (SCOTLAND)  
ORDINANCES.

THE LORD STEWARD OF THE HOUSEHOLD (The Earl of MOUNT-EDGECUMBE): My Lords, with regard to the Ordinance under the Universities (Scotland) Act I have duly presented the Address of your Lordships to Her Majesty, and Her Majesty has been graciously pleased to return the following answer:—

"I have received your Lordships' Address praying that I will withhold my Assent to the words 'or in Mathematics' occurring in Clause IV. (2) of the Ordinance Number XI. framed by the Commissioners under the Universities (Scotland) Act, 1889.

I will withhold my Assent to those words in conformity with your Lordships' advice."

SHERIFF COURTS (SCOTLAND)  
EXTRACTS BILL.

Bill read 2<sup>a</sup> (according to Order), and committed to a Committee of the whole House on Friday next.

## YEOMANRY CAVALRY.

## QUESTION. OBSERVATIONS.

\*VISCOUNT GALWAY: My Lords, I need scarcely say that it is very gratifying to the Yeomanry to find that at last their complaints have been brought before the War Office and the public in a proper manner. For many years we have been doing our best to get certain questions brought before the War Office, and at last I hope we shall succeed in getting a satisfactory reply and shall be put in a satisfactory position. For a great many years past it has been the fashion with several military and civilian critics to think that the Yeomanry have not improved; but, my Lords, the old yeoman of portly form, who was a very good fellow in every way except as a light Cavalry soldier, no longer exists in the ranks; we have now a great many young men capable of doing their work well. His Royal Highness the Commander-in-Chief, when he visited

them lately, was kind enough to express his approval of them, and all the Inspecting Officers after the various inspections have reported every year that great improvements have taken place. Your Lordships will be glad indeed, I am sure, that at last the Yeomanry are to be put upon the mobilisation scheme, and to have their share in the defence of the country. But, to come more to the details of this Report, I think myself that the question of the reduction of sergeants may be met in a fairly satisfactory manner. Whether the reduction of adjutants will be equally successfully worked without friction there is some doubt, because I think it will be found very difficult for any man to be in two places at once and to serve two masters, as the adjutant must if he is to serve two large regiments at different quarters. But there are three points to which I should like to ask the noble Earl the Under Secretary of State for War particularly to direct his attention. The first is that in this Report of the Committee on the Yeomanry Cavalry it is proposed to make the whole of the contingent allowance depend upon a standard of musketry. When a man is recruited the Yeomanry have to equip him with his full uniform, and he may be a very good horseman and swordsman and a good Cavalry soldier in every respect; but perhaps, because he lives a long distance from butts, and is unable, therefore, to have practice, or perhaps has not naturally great talent for shooting, he is not a very fair marksman. It seems very hard, therefore, that the whole of the contingent allowance should depend upon the accident of his being a good shot. I hope, therefore, the noble Earl will be able to say that some modification will be made in that portion of the Report. Another point is this. At the present moment the Yeomanry are about the cheapest force that the country can have: they cost little more than £7 per man, for which you have a man ready equipped with his uniform, saddle and horse, and ready to turn out at any moment. As this Report seems to me a little like robbing Peter to pay Paul, I hope sincerely that we shall clearly understand that there is no

proposal to reduce the sum total of the Yeomanry Vote, but that whatever is saved from one portion of it will be given back to the Yeomanry in some way to promote their efficiency. The third point is that, if the brigading system is thoroughly carried out, heavy expense will be thrown upon the regiments during the year in which they have to brigade; and I hope that that expense will not fall on the Contingent Fund, but that some other fund will be forthcoming. Then there is another point which, perhaps, the noble Earl will not care to answer at once. It seems to me that the maximum number is very much too near what we have been actually turning out in the last two years, and that it will act as a damper in recruiting. Moreover, it seems to me that with the new Cavalry drill the numbers fixed will not be found to work well, and I hope that some modification may be made with respect to that number. I should like, therefore, to ask the noble Earl what are the intentions of Her Majesty's Government in regard to carrying out the Report, and I hope he will kindly take notice of the three points which I have brought to his notice.

\*LORD BELPER: Before the noble Earl answers the remarks which have just been made, having had the honour of commanding a Yeomanry regiment for some years I should like to refer to one or two points in the Report of the Yeomanry Committee. In the first place I should wish entirely to concur in the remarks made by the noble Viscount with regard to the fact that for the first time the Yeomanry are given a position in the mobilisation scheme of the country, and that they have now a definite place as part of the defensive forces of the country; and in connection with that I am very glad to see the proposal for occasionally, once in three years, brigading two or three Yeomanry regiments together, not only on paper, but also in the field. I would only venture to ask whether in those cases it would not be desirable that the Yeomanry regiments when they are going out to work in brigade should be allowed to be called out for a rather longer period than at present; because it will clearly be most important that they should have an

opportunity of learning their ordinary work before two or three regiments are called upon to work together in brigade—most of them for the first time. With regard to the increase in the Contingent Fund, that is a point which the Yeomanry Commanding Officers will accept with the greatest pleasure. It has been clearly proved that the amount now paid is not sufficient to cover the expenses of the force; and, although that money comes out of the Yeomanry themselves, I think they will be pleased at the change. With regard to the diminution of staff sergeants I think there probably will be some difference of opinion amongst officers commanding different Yeomanry regiments; but I should like to say, speaking solely for my own regiment, that, although there will be some inconvenience at first in altering the headquarters of different troops, yet I believe it can be carried out without diminishing in any way the efficiency of the regiment. My Lords, there are two points which have not been referred to to which I should like to call the attention of the noble Earl. The first is that in paragraph 9 with regard to the working of the squadron. It is pointed out that the strength of one hundred is a good working strength for the field, and though inferior to a squadron of regular Cavalry it is perhaps as large as is desirable for the Yeomanry. I should like to point out that included in that hundred will be a considerable number of the band, and I rather think this point must have been overlooked by the Committee. The band of the Yeomanry is sworn in and attached to the different troops, and therefore, if every man in the field was efficient, the maximum of the squadron would be about 92 or 93 instead of one hundred. Besides this, I think if the Report is accepted as it stands that would necessitate the band going through a course of musketry; and I am sure that any gentleman who knows what Yeomanry bands are will not think probably that that would be a very desirable thing to do. I do not think you could get men to join the band and also to shoot; and I think, if you were to insist upon it probably the result would be very much more dangerous to themselves

*Viscount Galway*



than to any enemy they might have to meet. The question of musketry has already been referred to by the noble Viscount who introduced the question. As my regiment has a great difficulty in getting ranges, particularly up to a sufficient distance, I hope that the qualification in musketry will not be made a *sine qua non* for the contingent allowance. I think if it is to depend upon anything it would be far better to make some of the pay of the yeoman depend upon his shooting his course, thereby proving to him that his shooting is an essential part of a Cavalry soldier's duties at the present time. The only other point to which I should like to call the noble Earl's attention is the question of the numbers. In the schedule the strength of the Yeomanry regiments for the last three years has been taken as an average. Any one who knows the great difficulties that Yeomanry regiments have had to meet, owing to the agricultural depression, will understand that even in the last year and the year before, those difficulties have not been finally overcome, and the losses we suffered four or five years before have not been completely filled up. To take the case of my own regiment, which happens to be a somewhat peculiar one, I find that in the last years mentioned in the Report it has increased by nearly sixty: from 208 in 1889 to 263 in 1891; and I have every reason to suppose that it will be something like 290 when it is called out this year. Therefore, under the scale which has been given by this Report, it would be impossible for me after this year to try to increase the strength of the regiment at all. The old strength of the regiment was four hundred maximum including officers. For a regiment of four squadrons under the new scheme the four hundred would be a stronger regiment, because that is exclusive of officers and staff; at the same time I think it would be rather hard upon a regiment, while pulling up their numbers considerably, and now for the first time getting over the difficulties of the agricultural depression, that they should be stopped from recruiting if they find they can get an efficient number of men which would bring them over the

number which has been laid down in the schedule of this Report. I hope the noble Earl will at all events consider, if he cannot answer now, the two or three points which I have brought forward. I am sure that, although there is a considerable difference of opinion with regard to various details amongst officers commanding the force, they will all accept the general regulations laid down in this Report, and will strive in future, as they have in the past, to make the Yeomanry an efficient part of the Reserve Forces of the country.

\*EARL COWPER: My Lords, though I have nothing to do with any Yeomanry regiment myself, yet, in common with all your Lordships, I take a great interest in the whole subject of our national defences, particularly those which may be classed under the general head of Volunteers. I am sure it is not at all too soon that the Government have turned their attention to the subject of the Yeomanry, and I think that anybody who has glanced over the Report must feel that the Yeomanry force are not in a satisfactory condition. On the very first page we have it that out of a maximum of thirteen thousand there are only about eight thousand efficient. That I think is not nearly so many as there ought to be. I also think they are rather backward compared with the other forces. Some thirty years ago no doubt the Yeomanry were considered a very fine body of men, even though I am quite willing to admit, as the noble Viscount who brought forward the subject says, they were really not so good actually then as they are now. But in these days when the Volunteers during the last ten years have come so tremendously forward, and have become so very efficient, I think the Yeomanry require to be brought up to the standard. Now of course the Yeomanry were originally intended very much for the sake of assisting the civil power in preserving law and order and in acting against mobs and rioters. This was never a very popular or very satisfactory employment for them. I think always in case of a riot or a difficulty it is far better, when unfortunately you must have recourse to force, to employ police or regular soldiers whom

you can keep in hand and who will stand a certain amount of insult or throwing stones without being provoked into what may end in indiscriminate slaughter. Therefore I do not think the Yeomanry are likely to be much employed in this way in the future. Certainly, in former days, both in England and Ireland, their employment in this way was not attended with good results. Besides, as has been pointed out in this Report, in these days of increased railway communication, when you can always concentrate a certain number of soldiers or police upon a given spot in a very short time, the Yeomanry are less likely than ever to be called upon to do this work. If they are to continue to exist they must simply and solely be considered as part of the national defence; and they must be in such a position that in case of invasion they would be reliable for employment there and then as part of the efficient forces of the country. Now there is no doubt that if they are to do this they must improve very much upon what they are; they must not only learn to shoot, which has been pointed out in the Report as a very necessary thing, and a thing which is very much neglected; but I think they must be able to make a better appearance in the field than they can now. In many regiments I think it is wonderful how much they do, considering that they only come out one week in the year; that one day is employed in arriving, and another in going away; another in a field day, and another is Sunday; so that they only have four days' drill in the year. But I think if they are to be an efficient force they must have more drills than they have now. I do not know that the Government can be called upon to give more towards them than they do now. As compared with the regular forces, they are very cheap, no doubt; but as compared with the Volunteers, I think they cost about twice as much per man. But I think they would be very glad to do something for themselves, I think they come from a class who would be glad to meet the Government and pay part of their own expenses if they were encouraged. All I think they want is encouragement. and more to be

required of them before they can be passed as efficient. I think, considering what they have in their favour, considering the admirable men both in this House and in other positions who are willing to come forward and take command of these forces and officer them, considering the general spirit among the youth of the country, and the patriotism and love of military service, which is undoubted, it is quite true that they only want encouragement to be induced to do more than they do now. If they can once know that they belong, not to a merely ornamental force as in bygone days, but to a really efficient force, capable in case of invasion of forming an efficient part of the defences of the country, they will take a greater pride in the force than they do now; and, instead of there being only eight thousand out of a maximum of thirteen thousand, that maximum would constantly be kept to its full strength, and a demand would be made to increase it. My Lords, I am glad the Government have taken the matter up. I think every step they have taken has been in the right direction, in the interest of the Yeomanry themselves; and the more they are considered a permanent force in the country the more will they command men than they do now.

\*THE UNDER SECRETARY OF STATE FOR WAR (Earl BROWLOW): My Lords, there are two points which have been from time to time urged upon the Secretary of State for War by commanding officers—one is a complaint that the Military Authorities have never yet seen their way to utilise them for the purposes of mobilisation; the other is that the contingent allowance which they now draw, £2 per man, is insufficient for the purposes for which it is intended. To remedy this state of things, if possible, is the problem that was placed before the Committee. When the Committee began to make inquiries they were immediately struck by the very small size of the units of the Yeomanry. This is an old story. As long ago as 1875 a Committee appointed to inquire into this very question reported in favour of disbanding all regiments that fell below two hundred in two consecutive years.

This recommendation was embodied in the Yeomanry regulations, where it is laid down that any regiment which falls in two consecutive years below two hundred may be disbanded without further notice, and there the regulation has remained up to this time as a dead letter—it has never been acted upon. But when the Committee came to inquire into the number they were astonished to find that no less than sixteen out of the thirty-nine Yeomanry regiments had this sword of Damocles hanging over their heads which might fall and destroy them at any moment. The Committee, therefore, considered in what way they might get over the difficulty of not having to disband small regiments and yet being able to keep these small regiments and enable then to preserve their individuality. The method they hit upon was the system of brigading. By joining two or more small regiments into brigades this difficulty of very small units is immediately got rid of. It is hoped that these brigades will be somewhat similar in number to the Regular Cavalry regiments, and yet that each small unit may retain its own individuality. In forming these brigades it is considered that the present regimental adjutants, some of whom have very small numbers of men to look after, may be gradually, as they die out, abolished, and brigade adjutants substituted in their stead. And, as a matter of detail, it is proposed by the Committee that the brigade adjutant should have some extra allowance in the way of another horse, because he will be required to do more travelling. The next point to which the Committee devoted their attention was the size of the troops. The Committee found that in some regiments of average size the troops consisted of twenty-two men, some of these troops being of a less number than twenty-two, and to every one of these troops the Government supplies a staff sergeant. We have it in evidence that many of the staff sergeants are not fully employed, and eke out their time with the permission of the commanding officer by taking civil employment. There was nothing in the evidence to prove that a staff sergeant was not perfectly capable of taking care of a whole squadron; but it was pointed out by

one or two commanding officers that if this reduction was made suddenly there would be a great deal of difficulty in maintaining the regiments in a proper state of efficiency. It is therefore proposed by the Committee that one staff sergeant should be allowed to each squadron, and that in addition one more sergeant should be allowed to be at the disposal of the commanding officer for what I may call general purposes. It was further pointed out that some further assistance might be wanted at times of the year when there is a good deal of pressure for exercising the men in carbine practice and sword exercise, and it was considered that that assistance might be found in the regiment in the non-commissioned officers of the Yeomanry; and of course it is always open to the commanding officer of the regiment, if he has nobody in the regiment who is competent to teach these things, to find somebody in the district who is competent, and he can enrol him in his regiment and employ him in that way; but it is proposed that he should be paid by arrangement between the commanding officer and this sergeant out of the increased contingent allowance, which I will come to presently. The next point to which the Committee turned their attention was the question of shooting. Now, my Lords, we have often been told that the Yeomanry shoot badly,—the only wonder is that they shoot at all. No encouragement has ever been offered to the Yeomanry to shoot, and the only possible incentive to them has come out of the pockets of the officers. It was pointed out to the Committee that the men lost time in going to and from the ranges, and therefore it has been recommended that every man who passes through his course should be given 3s. 6d. pay for the day that he spends upon the ranges. The numbers which the Committee recommend for brigades are either a maximum of 400 and a minimum of 280 for a four-squadron regiment, or a maximum of 300 enrolled and a minimum of 210 efficient for a three-squadron regiment, or for a two-squadron regiment a maximum of 200 and a minimum of 140. But my Lords, it is supposed that there may be some cases—I hope

they will be exceedingly few—will be found impossible in a county to raise up even this minimum number of 100. In those cases sooner than entirely disband the corps it is proposed that the Secretary of State shall have the power when he sees fit, to allow a single squadron to be maintained in the county but with no regimental staff. I may perhaps here deal with the question that was put by my noble Friend opposite (Lord Belper) on the subject of maximum and minimum numbers. The reason why these numbers were fixed by the Committee was because the maximum number of a squadron having been fixed by them at the convenient number of 100 it naturally follows that a two-squadron regiment would have two hundred, a three-squadron regiment three hundred, and so on; but the Committee also considered the present state of the number of Yeomanry regiments, and they thought four hundred would be a sufficiently large maximum, looking to the state of the Yeomanry regiments. But I would point out that there is a way of getting over the difficulty. If a regiment is full and desires to enlist more men, it is quite in the power of the Secretary of State to allow them to enlist a certain number of supernumeraries, and if they kept on increasing, the Secretary of State could give a larger easement, and, if he wished it, could create a regiment of five squadrons.

LORD BELPER: Would the supernumeraries get pay?

EARL BROWNLOW: Yes, they would be paid if they were allowed to be taken on. Then the question of the band comes in here. The Committee certainly did not go very deeply into the question of the band because they found that the regulations already laid down with regard to the band that two bandsmen per troop are allowed, and I find they are excused certain exercises; but if there are any more bandsmen in the troop they are not excused. The Committee considered that these regulations would probably go on, and that the two bandsmen would still be allowed per troop. But then comes another point—whether they are to be obliged to shoot in order to obtain the contingent allowance. That is a

required of them before they can be passed as efficient. I think, considering what they have in their favour, considering the admirable men both in this House and in other positions there willing to come forward and command of these forces and question, considering the general when the youth of the the adjutant the patriotism and love £5,013, the saving, which is un-sergeants if carried out, that they only be £8,306, the total saving. If they £13,300, and it is proposed, not to that saving in the following way. In the first place it has been pointed out that the contingent allowance is not meet the purposes for which it was intended, and that the considerable expense is very often thrown upon the officers. To meet this difficulty it is proposed that the contingent allowance shall be raised from £2 as it is at present up to £3, giving £1 per man more than at present. But the Committee report in favour of making the whole of this contingent allowance depend upon the shooting of the yeoman—that is to say, that if he does not come up to a certain moderate standard of shooting, which shall be laid down hereafter, the whole of this £3 shall be forfeited. Now my noble Friend behind me (Viscount Galway) has called my attention to this point, and I may say that the Secretary of State for War has given this point his very best consideration. He considers that the Committee are a little hard upon the yeomen in this respect, and he would be prepared to make only the extra £1 which it is proposed to add, depend upon the shooting of the yeoman; but of course if the yeoman does not pass through that course, besides losing the £1, he would also lose the day's 3s. 6d. for attending the range. That increase of £1 would amount to £8,500; then the day's pay for target practice would amount to £1,467; and it is further proposed in order to encourage shooting, to give twenty rounds per man of extra ammunition which would amount to £630, and the allowance to brigade adjutants for the additional horse will amount to £760, making a total of £11,357. That £11,357 will go against the saving of £13,300. It will be easily



This recommendation was embodied in the Yeomanry regulations, where it is laid down that any regiment which falls in two consecutive years below two hundred may be disbanded without further notice, and there the regulation has remained up to this time as a *pro* letter—it has never been acted upon. But when the Committee agree, that the quire into the number of contingent astonished to find that in next year. In sixteen out of the thirty result will be a slight hanging over the third year there will fall and disappear in the third year there will be a saving; and after that there will continue to be a saving. But it is proposed that that saving shall be a base on the Yeomanry Vote. On the contrary the Committee point out that there will be expenses connected with the regading, probably travelling expenses and other expenses; and this small balance will be available to meet those expenses, and that answers the question of my noble Friend behind me. My Lords, in taking evidence and making inquiries the Committee were very much struck by the anxiety of all connected with the Yeomanry to make the Yeomanry as efficient as possible, and to raise them to their proper place amongst the Forces of the country; and the Committee in their Report use these words—

“There is we are satisfied plenty of patriotic sentiment and a good soldierly material in the Yeomanry both as regards officers and men, and if the process of evolution in our military system has kept the force somewhat behind-hand it has been its misfortune rather than its fault.”

My Lords, I am convinced that there is plenty of energy, there is plenty of patriotism, there is plenty of soldier-like bearing in the Yeomanry, and if these recommendations of the Committee, which I may say have already as a whole been approved by the Secretary of State, and are now under the consideration of the Treasury, are carried out, I have no hesitation in saying that the Yeomanry will be able in the future to hold the same dignified position among the Forces of the country, and will be of the same value as they have proved themselves in the past.

## NAVAL SURVEY.

### QUESTION—OBSERVATIONS.

VISCOUNT SIDMOUTH: My Lords, I wish to ask my noble Friend who represents the Admiralty in this House whether it is the intention of the Board to permanently station a surveying vessel in the Mediterranean. I anticipate the answer that he will give me. He will most likely tell me that there is already a vessel, the *Stork* stationed there; but the *Stork* as I understand—my noble Friend will correct me if I am mistaken—is not in the same position as the former surveying vessels used to be; and in former days, as my noble Friend remembers, there was a permanent staff of surveying vessels stationed in the Mediterranean; they never left the station, they were not under the orders of the Commander in Chief except in a general way, and they had a complete staff of scientific officers with all the usual appliances for survey, which I very much doubt are to be found in the same value on board the *Stork* and other surveying vessels. And the whole duty of these ships was to survey in all parts of the Mediterranean during the summer, and during the winter they did not go home, but they mostly went to Malta, where they were employed in correcting the charts and preparing for the next summer's cruise. My Lords, we shall be told I have no doubt that for the ports of the Mediterranean there existed excellent charts from foreign nations. Well, my Lords, I do not think it is quite becoming a great country like ours to be dependent for charts upon other Naval Powers, and in the event of war it would be quite within the power of any neutral country to withhold its charts from both the belligerents; and if an objection should be taken that we should be offending Foreign Powers by surveying on their shores, I can only say that during the long period when I knew the Mediterranean where the vessels to which I allude used to traverse the coast all along, and at some parts of the Mediterranean where there was most likely to be a sensitive feeling, they were not interfered with; and I have no doubt in the present instance the diplomatic ability of the noble Marquess would remove any difficulty of

that sort that would be likely to arise. Another reason why I think the survey of the Mediterranean should be very exact is that the large vessels we employ there draw a great deal more water than flag ships and line of battle ships of former days; and I need hardly ask the House to remember that the two most recent and most disastrous accidents which have arisen in the Navy have been due—I will not say to the absence of proper surveying precautions, but certainly to the existence of rocks where they were least suspected. In addition to this your Lordships must remember—I do not venture to impugn the action of the Admiralty—but it is by direction of the Board of Admiralty that all torpedo experiments are to be carried on in shallow waters, and our ships now visit portions of the Mediterranean for that purpose which used not to be visited, and I think were excepted from the surveys of former days. I allude principally to the Adriatic and some portions of the coast of Spain, and the northern part of the coast of Africa, in the neighbourhood of Morocco. My noble Friend will correct me if I am wrong, but I think I am right in saying that there is no thorough elemental survey of any of those portions of the Mediterranean waters; and that we are certainly dependent upon the survey of foreign Powers for the knowledge we possess of those coasts. I venture to ask my noble Friend whether the Admiralty will consider the great importance of the question and will station, as was formerly done, permanent surveying vessels in the Mediterranean such as are I believe at present stationed in other parts of the globe, and such as formerly existed there; such also as were employed by the East India Company permanently in the East Indies and the Persian Gulf, of which we have a most complete survey. Let me just say before I sit down that from personal knowledge I am aware that charts do require frequent correction. Some years ago I was supplied with a series of charts by one of the most distinguished officers in the Service—they were old charts, and, sailing by them I was enabled to observe—I am speaking of a yacht—the great difference that

there is between those charts and some of more recent compilation. My Lords, I wish to say no more upon the subject; but I hope my noble Friend will give a satisfactory answer upon the point.

LORD ELPHINSTONE: I cannot help thinking, my Lords, that my noble Friend is under some misapprehension in this matter. The question he asks is whether it is the intention of the Admiralty to restore the Surveying Department of the Navy formerly stationed in the Mediterranean. Now we never have had a Surveying Department of the Navy formerly stationed in the Mediterranean or in any other station. The only Surveying Department is the Hydrographer's Department of the Admiralty. We have surveying ships—we have seven at present belonging to the Government and three others that are hired; but we send our surveying ships wherever the circumstances of the moment require them to be sent. It is perfectly true that we have had no surveying ships in the Mediterranean for some years. The general surveys of the Mediterranean extend over a period of about fifty-six or fifty-eight years, and during the last four years we have had no surveying ships there at all. The *Stork*, to which the noble Viscount refers, has been surveying on the East India Station—she is expected now in the Mediterranean in the course of a few days, and her first duty will be to re-survey the Maltese Islands; after that it is possible she may be sent to the Greek Archipelago; but we have to obtain the sanction of the Greek Government to make any survey there. We have already asked permission, but have not yet received their authority. Then the noble Viscount refers to foreign coasts. He is perhaps not aware that we cannot send our surveying ships either to the coast of France, the coast of Italy, or the coast of Spain; they all make their own surveys. The Turkish Government do not allow us to go anywhere near their coast for the purposes of survey. The consequence is that a very large portion of the Mediterranean is unsurveyed at the present time. The coast of Asia Minor is unsurveyed, but we are not allowed to go there, and cannot send our ships there. With regard to the torpedo arrangements, the Admiralty never

*Viscount Sidmouth*

interfere with that matter. The whole of the local arrangements with regard to where torpedoes are to be run is left entirely in the hands of the commanding officers at the different stations. The general instructions are not to run torpedoes in deeper water than twenty fathoms—that is in the event of a torpedo being lost, to enable a diver if possible to recover it, twenty fathoms being the extreme limit in which diving operations can be carried on. Under some circumstances we do allow torpedo practice to be carried on in deep waters, but then again it is only under exceptional circumstances, where we are not able to carry it on in shallow water; but there again every precaution is ordered to be taken for the recovery of a stray torpedo. I do not know whether the noble Lord has seen the Hydrographer's Report which is presented to Parliament every year; it contains very interesting information. I have here the Report for 1890, if it is of any use to him. The Report for 1891 was laid on the Table of the two Houses of Parliament two or three days ago, giving all information as to what ships there are, what they are doing, and where they are.

VISCOUNT SIDMOUTH: Do I rightly understand my noble Friend to say that there is a positive prohibition on the part of the Turkish Government against our surveying ships visiting the coast?

LORD ELPHINSTONE: On the part of the Turkish Government, yes; on the part of the others they have all of them intimated that they do not expect us to go about surveying.

House adjourned at twenty-five minutes past Six o'clock.

## HOUSE OF COMMONS,

*Tuesday, 24th May, 1892.*

The House met at Two of the clock.

### QUESTIONS.

#### PROCURATORS FISCAL AND CROFTER CASES.

MR. CALDWELL (Glasgow, St. Rollox): I beg to ask the Lord Advo-

cate whether, as lately promised, he has communicated with the Sheriff of Argyllshire with reference to the expediency of Mr. W. Sproat, Procurator Fiscal, Tobermory, acting for landlords in crofter cases, and what was the purport of the reply; and whether his attention has been called to the report of a case in the Oban Sheriff Court on 13th instant, wherein it is stated that a Mr. Lawrence appeared on behalf of "Mr. Sproat, Procurator Fiscal, Tobermory, and agent for the Duke of Argyll," in a suit against crofters at the instance of His Grace?

\*THE LORD ADVOCATE (Sir C. J. PEARSON, Edinburgh and St. Andrew's Universities): I have made the communication referred to in the question. Mr. Sproat is entitled to carry on private practice, and I have no power to prevent him from doing so. I am, however, informed that he is willing to sacrifice his private practice so far as regards cases before the Crofters' Commission; but he is naturally disinclined to give up acting as agent for landowners, merely because in this capacity he may be obliged occasionally to act against crofters. I would remind the hon. Member that as often as a vacancy occurs in the office of Procurator Fiscal, the question of restriction from private practice is considered. I am informed that the statement in the second part of the question is correct.

#### PUBLIC HEALTH ACT AND THE ENNISKILLEN GUARDIANS.

MR. JORDAN (Clare, W.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland with regard to the fact that the Board of Guardians of the Enniskillen Union has applied to the Local Government Board by unanimous resolution five different times, the last application the 3rd May this year, for an official inquiry into the administration of the Public Health Act, 1878, in that Union, mainly in its villages and rural districts, which has been refused by the Local Government Board, if he will take steps to ascertain on what grounds the Local Government Board refused an application so often and so unanimously made by such a Board of Guardians, and have the matter rectified?

THE CHIEF SECRETARY FOR IRELAND (Mr. JACKSON, Leeds, N.): I understand it is the case that the Guardians of the Enniskillen Union have made application for official inquiry into the administration of the Public Health Act, 1878, in that Union; but notwithstanding repeated applications have not made known the specific grounds upon which they ask for inquiry.

#### THE PERSIAN TOBACCO CONCESSION.

MR. PICTON (Leicester): I beg to ask the Under Secretary of State for Foreign Affairs whether he can now communicate to the House the names of the members of the Eastern Concessions Syndicate?

THE UNDER SECRETARY OF STATE FOR FOREIGN AFFAIRS (Mr. J. W. LOWTHER, Cumberland, Penrith): The Foreign Office were informed by the Imperial Tobacco Corporation that they had purchased the concession originally granted to Major Talbot by the State, from the Eastern Concessions Syndicate; but I am not informed, nor have I any knowledge, as to the names of the gentlemen who composed that Association.

#### REMOVAL TERMS IN SCOTLAND.

SIR D. CURRIE (Perthshire, W.): I beg to ask the Lord Advocate whether, in view of the great inconvenience felt by Scottish farmers owing to the want of uniformity in the periods of entry into and removal from farms and buildings in Scotland, which has been submitted to him, he can now see his way to introduce an amending Act which will secure the application of the Terms Removal (Scotland) Act, 1886, to existing leases?

\*SIR C. J. PEARSON: From the information which the hon. Member has been good enough to send me, there appears to be considerable inconvenience for want of a uniform rule as to removal terms. I would gladly do anything in my power to further a satisfactory solution of the difficulty, though of course the area of the inconvenience is always narrowing as leases fall in, and there may be objections *which have not occurred to me to the proposed interference with contracts.*

If the hon. Member will introduce a Bill on the subject it will afford a means of ascertaining whether the change proposed meets with general assent.

#### THE HURRICANE IN THE MAURITIUS.

COLONEL HOWARD VINCENT (Sheffield, Central): I beg to ask the Under Secretary of State for the Colonies if he is able to state from official sources the number of lives lost, the number of persons wounded, and the value of the property destroyed by the hurricane in Mauritius, and if it is the intention of the Government to propose any Parliamentary grant in aid of the colony; and having regard to the fact that nearly three weeks elapsed between the catastrophe and the receipt of the information in this country, a state of affairs which might be most disastrous in the case of war, steps will be taken to assist from State resources the establishment of telegraphic communication with Mauritius?

THE UNDER SECRETARY OF STATE FOR THE COLONIES (Baron H. de WORMS, Liverpool, East Toxteth): In answer to the first paragraph of the question, I have to say that the only information as yet received from the officer administering government is that contained in the telegram which I communicated to the House on Friday; and until despatches are received it is impossible for Her Majesty's Government to form any opinion on the point referred to. In answer to the second paragraph, I may say that negotiations are nearly concluded for the establishment of telegraphic communication with Seychelles and Mauritius, the greater part of the cost of which will be borne by this country and India, the rest being contributed by Mauritius and Seychelles.

#### THE MADRAS PRESIDENCY.

SIR WILLIAM PLOWDEN (Wolverhampton, W.): I beg to ask the Under Secretary of State for India whether he will present to the House the Memorandum on the Economic Condition of the Madras Presidency, which has been recently compiled by a native gentleman, Mr. D. B. S. S. Sriuivasa Aiyangar?



THE UNDER SECRETARY OF STATE FOR INDIA (Mr. CURZON, Lancashire, Southport): Only one copy of the Memorandum has yet reached the India Office, and that only during the past week. It is now under the consideration of the Secretary of State, who is not yet in a position to say whether it can be presented to Parliament.

MRS. MAYBRICK.

MR. DALZIEL (Kirkcaldy, &c.): I beg to ask the Secretary of State for the Home Department whether, in reference to the convict Mrs. Florence Elizabeth Maybrick, he is aware that four eminent counsel—namely, Sir Charles Russell, J. Fletcher Moulton, H. B. Poland, and Reginald J. Smith—in giving their opinion upon a full statement of her case prepared by Messrs. Lumley and Lumley, used the following words:—

“We think it right to add that there are many matters stated in the case, not merely with reference to the evidence at, and the incidents of the trial, but suggesting new facts”;

and will he be prepared to give his careful consideration to any statement of the case containing the new facts referred to?

THE UNDER SECRETARY OF STATE FOR THE HOME DEPARTMENT (Mr. STUART WORTLEY, Sheffield, Hallam) (who replied): The Secretary of State has received no such information as that mentioned in the first part of the question, and no such document has reached the Home Office. The Secretary of State in every case, and therefore in Mrs. Maybrick's, is prepared to give careful consideration to any new material facts which can be shown to exist.

THE WATERFORD CONSTABULARY.

MR. TIMOTHY HEALY (Longford, N.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether a number of sergeants of the County Waterford force have been pronounced incompetent by the new County Inspector, Mr. T. Hayes; how many of these sergeants are on probation, to be reported on in three months by their officers as to their fitness to hold their present rank; how many of them

are men of long service and good character, who have passed creditably the inspections of their superior officers; whether he is aware that the measures of the present County Inspector have produced discontent and insecurity among all ranks under him; and whether one of the sergeants affected, Sergeant Cleary, of Callaghans, has already claimed his discharge from the Service on a reduced pension?

MR. JACKSON: This question refers to some details of administration, and I do not think that I can, with advantage to discipline or to the Public Service, answer the questions. It must not be supposed that any action taken implies censure or discredit on the members of the force.

MR. TIMOTHY HEALY: The object of my question is to allay discontent prevailing in the ranks of the force in consequence of the action of the County Inspector, and surely I am entitled to an answer.

MR. JACKSON: I cannot add to my answer. It must be quite obvious that to accept the assumption that discontent prevails would act prejudicially to the discipline of the force.

MR. TIMOTHY HEALY: Can the right hon. Gentleman say is it the fact that Sergeant Cleary, in consequence of the action taken, has been obliged to claim his discharge at a reduced pension?

MR. JACKSON: I understand that is not the fact. It is not in consequence of any charge against him that he has been obliged to retire. He applied to be allowed to retire.

MR. TIMOTHY HEALY: Yes; but why did he not remain a little time longer, when he could have claimed the higher scale of pension?

MR. JACKSON: His retirement was entirely from his own action, and was in no way due to the action of the officer mentioned.

TULLAMORE GAOL.

MR. TIMOTHY HEALY: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether, before the Prisons Vote is taken, he would have any objection to print the correspondence between Mr. John Cullinan of Bansha and the Prisons Board relative to the typhoid outbreak in

Tullamore Gaol, and also such medical and sanitary reports as are germane to the matter?

\*MR. JACKSON: It is not the practice to lay correspondence of this nature on the Table. The hon. Member has perhaps seen the report made by the experts as to the insanitary condition of the gaol? If he has not, I shall be glad to furnish him with a copy.

#### THE CHARGES AGAINST SERGEANT SEABROOKE, R.I.C.

MR. TIMOTHY HEALY: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland if his attention has been called to the report of a Constabulary inquiry in the North Antrim *Standard* of 31st March, whereby it appears that Sergeant Seabrooke was found guilty of drunkenness, and having made on oath false charges against a comrade to screen himself; and also to the judgment of the Inspector General, as follows:—

“Arising out of the charges preferred against Constable Lynch, very serious matters against Sergeant Seabrooke and other constables have come to light, and the line of action adopted by them was deceitful and indiscreet, and if persisted in would have compelled their expulsion from the force. But inasmuch as they now admit the allegations against them, this course of action would not be adopted, but in lieu of it the following penalties would be inflicted: Sergeant Seabrooke is reduced to the rank of constable, and transferred at his own expense to the County Leitrim”;

whether the Executive have sanctioned this retention in the force of a constable who is found to have confessed himself guilty of perjury to avert a sentence of dismissal; whether Seabrooke is the same policeman who was promoted after giving evidence against the Crossmaglen prisoners, sentenced in 1883, for alleged conspiracy to murder, to seven and ten years' penal servitude; and why, after the Inspector General's decision and the findings of the official tribunal, Seabrooke is not now prosecuted for perjury on his own confession?

\*MR. JACKSON: The Constabulary authorities report that it is the case that the sergeant mentioned was punished for drunkenness, but it is not the case that he has been found guilty of making false charges against a comrade or that he has been guilty of

perjury as alleged. He did give evidence in the case mentioned, but he did not receive promotion after giving that evidence.

MR. TIMOTHY HEALY: Will the right hon. Gentleman say what is the meaning of the Inspector's words: that the sergeant had been deceitful and indiscreet, and had pursued a line of conduct that, if persisted in, would have compelled expulsion from the force? Does it not mean that, though guilty of this conduct, he was after confession permitted to remain in the force? Does the right hon. Gentleman think that such a man should be allowed to remain in the force?

\*MR. JACKSON: The hon. Gentleman has been misinformed or has misunderstood the Report of the Inspector. It is not true that Sergeant Seabrooke had been found to have committed perjury, or that he was guilty of making false charges against a comrade.

MR. TIMOTHY HEALY: Not technically so.

\*MR. JACKSON: I will explain if the hon. member will permit me. Two charges made by him against the constable were found to be proved, but in regard to other allegations the Court found his conduct had not been straightforward. He admitted certain charges made against him which in the first instance he denied. There was no reference in the Report as to his having made false charges on oath against a comrade.

MR. TIMOTHY HEALY: But was it not a sworn inquiry, and did not the Inspector say that the line of conduct if persisted in would have led to expulsion? Does the right hon. Gentleman think that such a man should be allowed to remain in the force and to give evidence as a policeman against Her Majesty's subjects?

\*MR. JACKSON: The whole question was carefully considered by the Court, and there does not appear to be any reason to interfere with the decision arrived at.

MR. TIMOTHY HEALY: As a warning to the public, will the right hon. Gentleman say where this man Seabrooke is now on duty?

\*MR. JACKSON: If the hon. Member will put down a question I will endeavour to answer it.

*Mr. Timothy Healy*

MR. TIMOTHY HEALY: I will do so, and will, if necessary, again and again call attention to the man's conduct.

#### RICHMOND PRISON, DUBLIN.

MR. TIMOTHY HEALY: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he will grant the Return relating to the transfer of Richmond Prison to the War Office, and the sums expended on the prison by the Dublin Corporation?

\*MR. JACKSON: This is a question which should be addressed to the War Office rather than to the Irish Government. The promise made to the hon. Member when the Dublin Barracks Bill was before the House was made by the War Office. The Irish Government do not see any connection between the expenditure on Mountjoy Prison and Richmond Prison. The expenditure on the one was not in consequence of the removal from the other. But the War Office will give the hon. Member the information he desires.

MR. TIMOTHY HEALY: Surely I am entitled to ask for the information which I should have thought the right hon. Gentleman would have been better able to supply than the War Office. But I do not care whence it comes.

\*MR. JACKSON: The question only appeared this morning, and I have not been able to communicate with the War Office in reference to it.

#### FATHER HUMPHREYS OF TIPPERARY.

MR. FLYNN (Cork, N.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he is aware that the Reverend Father Humphreys, of Tipperary, was accosted by Sergeant Fogarty at the gate of the Catholic Church on Saturday last, and that the constable produced a warrant against the reverend gentleman; was the warrant issued in connection with civil proceedings; and, if so, why were not the proceedings usual in civil cases adopted by the policeman on this occasion?

MR. JACKSON: I have not yet been able to obtain the information, and I shall be glad if the hon. Gentleman will postpone his question.

#### THE VICAR'S RATE AT COVENTRY.

MR. BALLANTINE (Coventry): I beg to ask the First Lord of the Treasury whether it has been brought to the knowledge of the Crown, as patron of the living of St. Michael's, Coventry, that the vicar has exercised powers given him by a local Act, namely, 19 Geo. III., c. 60, to levy a rate upon the parish, that distraints have been made upon the goods of a large number of the parishioners in consequence of their refusal to pay the rate, and that grave disorder is apprehended when the goods seized are offered for sale by public auction; and whether the action of the vicar in putting this Act into force was instigated by instructions from the Crown as patron of the living?

THE FIRST LORD OF THE TREASURY (Mr. A. J. BALFOUR, Manchester, E.): From causes of a personal nature there have been disputes for some years between the vicar of St. Michael's, Coventry, and the parishioners. I am not aware that any instructions from the Crown would be necessary to enable Dr. Mills to enforce the payment of the rate, to which he is entitled by the Act quoted by the hon. Member; nor am I aware that any such instructions were given.

#### THE CHANNEL SQUADRON.

MR. MAGUIRE (Donegal, N.): I beg to ask the First Lord of the Admiralty whether the Channel Squadron intend visiting Lough Swilly in June or July this year, as is now reported; whether he is aware that it is about eight years since any number of Her Majesty's ships have visited Lough Foyle; and whether having regard to the importance of that station on account of it including a port where trans-Atlantic mails are embarked and delivered weekly he will cause the Squadron to visit it on this occasion?

THE FIRST LORD OF THE ADMIRALTY (Lord G. HAMILTON, Middlesex, Ealing): Orders have been given for the Channel Squadron to assemble early in June, but the subsequent movements of the squadron have not been decided upon, as they will depend upon the arrangements for the Naval Manœuvres in which the

squadron will take part. I cannot, therefore, state definitely at present whether Lough Swilly will be visited by the Fleet this summer.

#### THE ALLEGED DISTURBANCES AT BELFAST.

MR. SEXTON (Belfast, W.): Since the answer was given to me yesterday with regard to the disturbances at Belfast, I have received information which in my judgment would entitle me to move the Adjournment of the House. I wish, however, to avoid that course, and I would ask your leave to make a brief statement, with a view of avoiding a discussion. I asked yesterday whether it was true that a number of boys had taken part in an attack on another boy, whose name I gave, and the Irish Attorney General replied in the following terms:—

"I am informed that the report in the newspaper to which the hon. Gentleman has referred is wholly unfounded."

That statement was received with laughter. The right hon. and learned Gentleman continued:—

"There does not appear to have been any incident to suggest it beyond the fact of a trifling quarrel between two young boys of about fourteen years of age, such as might occur in any place and at any time."

The boy referred to has been seen. His name is Longman, and he lives at 4, Waugh's Court, off North Road. He has made the following statement:—

"I went to Queen's Island about a week before the Easter holidays to look for a job. I was there two days when the boys working at the different boats threatened that if I would come back into the yard after the holidays that I would not go out of it alive."

What reason did these boys give for threatening you in this manner?—Because I was a Catholic.

How did they know you were a Catholic?—There was a boy who lives not far from me, a Protestant, who knew me, and he must have told them what I was. I know that boy's name. I worked on well enough until Thursday evening last. When I was leaving my work at half-past five o'clock, the boys started at me on the Queen's Road and knocked me down. The men coming from work pulled away the boys who were beating me. When I got up I walked on to the Queen's Bridge, where there were some policemen, and the boys were afraid to touch me there. When I went on to my home on North Street they followed me, and when I went into my own house, No. 13, Waugh's Court, off North Street, they gathered round the Court and were shouting at me to

come out again, and said what they would do if I came to work in the morning. The police, after a while, came up and chased them away.

Did you go to your work on Friday morning?—Yes, about six o'clock, and I was lighting the fire for heating the rivets, when about fifty of the boys came up, some of them with pieces of sticks which they got lying about the yard. Two or three of them hit me together with sticks and called me a Fenian b—— and other names, and one fellow drew something like a pistol or revolver, and said in the course of a month they would not leave a Fenian in the yard, that that (meaning the revolver) was for shooting them down.

Do you know any of the boys who beat you?—Yes; I could point out about a dozen of them.

What did they do after you were knocked down?—They kicked me and beat me about, and they wanted to shove me in the river."

The House will remember that a man was shoved into the river in the same place only a few months ago.

"I thought they were going to throw me into the river, and was trying to save my face with my hands when the horn blew for them to start their work again after breakfast, and they all went off the boat to go to their work again. They broke my can which was full of tea for my dinner and kicked it about, and then threw it into the water. When I was going up the yard to go to my work two or three of the men told me to go to the hospital or go home and get my face bathed, as it was in a dreadful state and all covered with blood. I went home then, as my face was swollen and bleeding, and got it bathed. I was afraid they would beat me again at dinner time. I was afraid to go for my money at half-past five o'clock, and my brother came with me at three to Mr. Wright, the head manager, and he paid me and told me to come back to work on Saturday and he would have the boys who beat me found out. I did not go to work on Saturday, as I was afraid of being attacked again."

Did you tell the police the way you had been treated?—Yes; on Friday I told a constable in Royal Avenue, and he said if I knew any of the boys to point them out to the police, who would take their names.

Did you tell any other policeman about the occurrence?—Yes; on Saturday morning a head constable came up to my bed, and I told him all about it.

Did you give the head constable the name of any of the parties?—Yes; I gave him one name; that was all I could remember at the time. When another policeman came later on I gave him all the other names I remembered.

Do you know how many were in the crowd at the time you were beaten?—There was a big crowd; I could not say how many was in it. Many of the boys were big fellows, nearly men."

That is the boy's statement, and remembering that the Belfast riots broke out in this very same place, and that



they were produced by speeches made by persons who were not then, but are now, Ministers of the Crown, I have to ask the Government two questions. In those Belfast riots thirty lives were lost, many houses were wrecked, and the disturbances continued for several months. What I want to ask is, What are the Government going to do? and how it came to pass that the Irish Attorney General, yesterday, having telegraphed to the police of Belfast, told us that there was no incident to suggest the question, beyond a trifling quarrel between two young boys, which might have occurred at any time and in any place?

MR. JACKSON: If the hon. Gentleman will be good enough to let me have the report which he has read to the House, I shall be glad to have a full inquiry made, and give a complete answer to all the statements made in the report. The Attorney General answered the question on the information supplied by the police of Belfast, and I am quite prepared to admit that we must have some further inquiry. But I do not gather from the report which has been read by the hon. Member—and that is the only opportunity I have had of hearing the facts—that there is much discrepancy between that statement and the statement made by my right hon. Friend from the information of the police. I do not think it would be an inconsistent conclusion to arrive at that the boy had had a quarrel with another boy, whose name he mentioned, when it is borne in mind that when the head constable went to see the boy only one name was given.

MR. SEXTON: Another policeman came later on.

MR. JACKSON: I do not know the date of the second policeman's visit, but it is quite possible that the other names were given after the information was supplied on which my right hon. Friend made his statement yesterday. However, there is no difficulty, and if the hon. Gentleman will give me the materials, I will make inquiries and furnish him with full and complete information, so far as the facts are submitted to us. I do not, however, find any complaint that the police failed in their duty, because it appears from the

report that has been read that at certain points they protected this boy from violence. I do not see that the police neglected their duty, and the hon. Member may rest assured that we shall enforce protection of all classes by the authorities.

MR. J. MORLEY (Newcastle-upon-Tyne): Do we then understand that the right hon. Gentleman, without further communication from this quarter of the House, will make inquiries as to what really took place?

MR. JACKSON: Certainly. Will the hon. Member tell me the name of the paper from which he read the extract just now?

MR. SEXTON: The *Belfast Irish News*.

MR. J. MORLEY: What the House wants to know—and knowing as I know what took place in Belfast in 1886, I appreciate the importance of the inquiry—is whether the Government is fully and accurately informed on this transaction, because unfortunately in Belfast there are now and again outbursts of a very serious kind, and this is a very serious matter.

MR. JACKSON: I do not underestimate the importance of this matter, and I ask that the report should be furnished to me to enable me to give a complete and categorical answer to all the allegations. At the same time, that report does not make any specific allegations against the police.

MR. SEXTON: I shall want the explanation on Thursday, and on that day on the Vote on Account I shall call the attention of the House to the origin of the Belfast riots in 1886, and the conduct of all concerned, and by all concerned I mean everyone from the police who gave the information to the Irish Attorney General up to the Prime Minister.

#### ALLEGATIONS AGAINST MERCANTILE MARINE OFFICIALS.

MR. DALZIEL: I beg to ask the President of the Board of Trade whether, in view of the grave charges that have been made by the Sailors' and Firemen's Union with reference to the conduct of the Mercantile Marine officials at Sunderland and South Shields, and also as to the conduct of the boarding masters, who have been

illegally supplying seamen, he will at once direct a full inquiry to be made by some responsible officer of the Board; and whether he is aware that the conduct of the Superintendent of the Mercantile Marine at Sunderland has been called into question on four different occasions, for the unfair way he has acted in encouraging the shipment of men at reduced wages and for the conveyance of such men from other ports to Sunderland?

\*THE PRESIDENT OF THE BOARD OF TRADE (Sir M. HICKS BEACH, Bristol, W.): If any grave charge supported by adequate evidence that the Merchant Shipping Acts have been infringed, either by the Mercantile Marine officials or by the boarding masters at Sunderland and Shields, should be laid before the Board of Trade, I should certainly have it carefully investigated; but nothing has come before me at present which seems to demand such an inquiry as the hon. Member suggests. With regard to the boarding masters, I understand that prosecutions have been instituted and punishment inflicted in some cases. It is the duty of the Board of Trade officers to give every proper facility for the engagement of seamen at whatever rate of wages they may have agreed to serve; and the officers are expected to act with complete neutrality in cases of disputes between employers and employed.

MR. DALZIEL: I should like to ask whether, as a matter of fact, considerable discontent prevails with regard to the action of the Mercantile officers; and whether it is not the case that complaint has been made to the Board of Trade representing that the officers have in cases of dispute interfered on behalf of the employers against the men?

\*SIR M. HICKS BEACH: One complaint has been made with respect to which the hon. Gentleman asked me a question the other day. I investigated it, and I found no reason to take any action.

#### SANITARY CONDITION OF GRANDBOROUGH.

MR. LEON (Bucks, N.): I beg to ask the President of the Local Government Board whether his attention has

been called to the insanitary condition of the village of Grandborough in Bucks, and to the fact that the death rate during the last four months has been at the rate of fifty per one thousand per annum, and that there is no water fit to drink; and whether he will at once communicate with the Rural Sanitary Authority in order to improve the sanitary condition of the village?

MR. STUART WORTLEY: I will answer the question on behalf of my right hon. Friend. The attention of the Local Government Board had not been called to the insanitary condition of the village of Grandborough, but since notice was given of the question they have communicated with the Sanitary Authority. They are informed, in reply, that the population of the village is three hundred and one, and that during the first four months of the present year there were five deaths, one from bronchitis, another from drowning, one from peritonitis, a fourth from pneumonia, and one from enteric fever. The Report of the Medical Officer of Health as to the water supply, given verbatim, is—

“I must tell you that the only water considered unfit for drinking purposes was closed last week. Another well is being closed outside the village. With that exception I believe the quality and quantity of water are good.”

The Local Government Board are also informed that notices under the Public Health Act, 1875, and the Housing of the Working Classes Act, 1890, have been served by the Sanitary Authority upon the owners of insanitary and overcrowded houses.

#### BUSINESS OF THE HOUSE.

MR. ROBERTSON (Dundee): I should like to ask the First Lord of the Treasury if he can give us any information with respect to the business of the Grand Committee on Trade? About a month since we received the usual notice, but as yet no business has been sent to the Committee. I should like to know whether it is the intention of the Government to send any Bills to that Committee; and, if so, what Bills will be sent?

MR. A. J. BALFOUR: I have had the subject in my mind, and if the hon. Gentleman will put a notice on the paper I will make inquiries. I think,

*Mr. Dalziel*

however, that I may say that no Bill of any importance will be sent to the Committee on Trade this Session. It may, perhaps, be convenient if I give notice that at the commencement of business to-morrow I shall move a Resolution having for its effect that the Grand Committee on Law do report the Clergy Discipline (Immorality) Bill by the 31st inst.

MR. TIMOTHY HEALY: I should like to ask the right hon. Gentleman if he could not defer that Motion to some day not taken up by such an important Bill as the Electors' Qualification and Registration Bill, to which everyone has been looking forward. Could he not make his Motion on Thursday?

MR. A. J. BALFOUR: The business on Thursday is even more important than the business on Wednesday. I have no reason to believe that it will take very long, and it will leave ample time for an abstract discussion. I think, on the whole, it would be better to take it to-morrow than on Thursday.

MR. TIMOTHY HEALY: Will the right hon. Gentleman say whether he intends to move the Closure to-night at ten minutes to seven?

MR. SPEAKER: Order, order!

MR. WEBB (Waterford, W.): Can the right hon. Gentleman say anything with respect to the Irish Education Bill?

MR. BAUMANN (Camberwell, Peckham): Does the right hon. Gentleman intend to proceed with the Ordnance Factory Vote this Session, or will the Vote on Account cover it?

MR. A. J. BALFOUR: No, Sir. The Vote on Account is for Civil Service Estimates only, whereas the Ordnance Vote comes under the Army Estimates. In answer to the hon. Member for Waterford, I cannot mention a day for the Second Reading of the Irish Education Bill, but I hope it will not be long before we are able to take it.

MR. WEBB: Not before Monday.

MR. A. J. BALFOUR: I do not think it can be taken before Monday.

SIR W. LAWSON (Cumberland, Cockermouth): Perhaps the right hon. Gentleman will say whether the Government intend to support the Motion if made for Adjournment over

the Derby Day, or whether they intend to sit?

MR. A. J. BALFOUR: This is an independent Motion in which the Government, as a Government, take no part one way or the other. I myself shall vote for the Adjournment.

## ORDERS OF THE DAY.

### LOCAL GOVERNMENT (IRELAND)

#### BILL—(No. 174.)

#### SECOND READING. [ADJOURNED DEBATE.]

Order read, for resuming Adjourned Debate on Amendment to Question [19th May], "That the Bill be now read a second time."

And which Amendment was, to leave out the word "now," and at the end of the Question to add the words "upon this day six months."—(*Mr. Sexton.*)

Question again proposed, "That the word 'now' stand part of the Question."

Debate resumed.

(2.48.) COLONEL NOLAN (Galway, N.): The Chief Secretary in his speech last night devoted most of his time to showing why this Bill had not been introduced before; but he had to admit that after five years and nine months of office, and after having passed a Local Government Bill for England and a Local Government Bill for Scotland, the Government had still waited until Lord Salisbury had gone on the stump, and had been ably seconded in the country by the Leader of the House of Commons. They have thought the time good enough to bring in this Bill, when we are under the shadow of an immediate Dissolution. This is not merely the case with Local Government in Ireland; it is also the case with free education. Free Education Bills have been passed for England and Scotland, but we are in the same state of chaos. In fact, Irish Business is jostled and hustled and put off till the last moment till it becomes mixed up with the Dissolution. The Chief Secretary did not say much about the details of the measure, but seemed rather disposed to support himself by the speech of the Member for Wes

Birmingham (Mr. J. Chamberlain). He said that speech was a complete defence of the Bill and of all the details, and he endorsed that speech. Therefore, he said that the Government had put a good Bill before the House, and we ought to accept it as a good Bill and a satisfactory solution of the question. I allow that the Irish Members have to show that this is a bad Bill, or a Bill not sufficiently good for us to accept, and I think the manner in which the right hon. Member for West Birmingham (Mr. J. Chamberlain) dealt with the Bill was the proper one, to go through it step by step, and detail by detail, and that that course should be followed. The right hon. Gentleman is a shrewd tactician, and he put his best leg forward in this matter. He started by challenging us on the franchise, and asked us if it was not good. I admit it to be a good franchise. He then expressed his own dislike to the cumulative vote, but pointed out that that was not sufficient reason for refusing to accept the Bill. I will give him that point also. It is a somewhat dangerous experiment for Ireland, but you have it in England and Scotland, and it is not a sufficient reason for throwing out the Bill. The right hon. Gentleman also said the Bill was excellent, as it made the illiterate voter vote the same as any other man. His contention was that he did not desire to disfranchise any man, but would compel every illiterate voter to avail himself of the cloak of secrecy. With that I am entirely content, and I do not think there are many Irishmen in this House who oppose it. On the committee on the Ballot Act, at the request of the Chairman, I moved a Motion that the illiterate voter should vote like everybody else. That was for Parliamentary purposes, but it should be extended to County Council elections. There are three ways of voting in Ireland. There is the open voting for Poor Law Guardians, and that is shocking, for the result is that people are set against each other for years, and their votes are objects of contention. Then there is the man who cannot read. Nobody in the booth can ask him if

he can read, and, unless he

says he cannot, he votes like any other man, and in ninety-five per cent of the cases he could vote as he wished to do. I have spoken to many men on the subject, and they desire that the illiterate voter should not have the privileges he now possesses, but should have the greater privilege that nobody should make him disclose his vote. The illiterate vote at present is practically secret, though the voter does not think so. He only tells his vote to three persons. The presiding officer forgets all about it, the agent is his friend, and the personating agent takes an oath of secrecy, which, if he broke would be raked up against him years afterwards, and if he appeared in a Court of Law it would be said that he had committed legal perjury, so that I think the voter is practically safe. I approve of this secret illiterate vote. But here I part company with the right hon. Gentleman and hardly agree with him in anything else. He declared that the control of the police is not a question of great importance in Ireland, and asked why the County Councils should want it in Clare or Galway, when they had not got it in London. The cases are not analogous. We should be compared with a county like Devonshire in England, or Pembrokeshire in Wales, and there, I believe, the police are under the control of the County Council or a Joint Committee. If this Bill put us on the same footing as England on the question, it would cease to be a grievance. The right hon. Gentleman said the County Councils would have control of all the business managed by the County Councils in England, and in addition the control of woods and forests, county infirmaries, the working of the Factory Acts, and sanitary legislation. Under the Bill the control of woods and forests is absolutely illusory, as any proposal for purchase will have to go before the Joint Committee of the Grand Jury and County Council. As far as the infirmaries are concerned, it will be a slight improvement to have them under the control of some County Authority. As to the control of the working of the Factory Acts, that would be useless in many counties; we have very few factories, but we want to create them, and we would rather

Colonel Nolan



watch how you control them in England, and then follow your example. I attach no importance to that part of the Bill. There is some use in sanitary legislation. The right hon. Gentleman said that was the most important part of Local Government. It may be so in a large town like Birmingham, where it affects the health of the whole of the inhabitants; but it is not so important where the people are scattered over a large extent of country. The right hon. Gentleman has a proposal to spend ten millions on sanitary matters in Birmingham, but such things do not occur in Ireland, and we have a fair system of sanitary administration at present by the Poor Law Guardians, who have done their work very satisfactorily. Water has been brought to some of the small towns, and the burial grounds have been walled in; but, on the other hand, there has been a deal of money spent or wasted. If you transfer those duties to the County Council they will have to compensate the old officers and pay new ones; and I do not see how the County Councils would work the sanitary legislation, except through the present Poor Law Boards. The area would be too large for the County Councils, and the Baronial Councils do not sit so often as the Poor Law Boards. I do not, therefore, attach much importance to the question of sanitary legislation for the county districts. The right hon. Gentleman then found fault with us for being angry with the amount of security taken from the County Councils; he said we were wrong to call out and say that we were insulted by these securities, and that their effect was almost *nil*, and that under the Acts of 1882 and 1885 some similar securities were taken. Those securities exist now, and we do not much object to them. We do not object to the Councillors being sued if a legal action lies against them, but what we regard as an insult is the insertion of a certain clause providing for the trial of County Councillors; and it is not merely the clause, but the clause coupled with the speech of the right hon. Gentleman the First Lord of the Treasury. The First Lord of the Treasury is one of the most accomplished speakers and debaters in the House, but his speech

on the introduction of the Bill was not a happy one. I do not know if he secretly dislikes the Bill. For an English Member to bring in a Bill containing a clause which is not in the English and Scotch Bills, and to state that if a County Council was found guilty they would be punished, was stating the case with a good deal of brutal frankness; and if we have used rather stronger words than necessary in speaking of the clause, the blame is due to the speech of the right hon. Gentleman. The right hon. Member for West Birmingham tried to soften this down, and said it was quite certain the majority would change the wording of this portion of the Bill, and put another word in place of "oppression." There are a considerable number of Gentlemen who follow the right hon. Gentleman, and doubtless his promise would be effective; but I expect the new word would mean practically the same thing, and that if we proposed words with another meaning they would be rejected. It has been said that Poor Law Boards have been suspended, but they are not such important bodies as the County Councils would be. But, as a general rule, if a Board pays its way, and does not spend too much money, there is not much danger of its being suspended. We protest against the position of the County Council, for the Clerk to the Grand Jury acts as their Clerk, and they would have no control over him, could neither appoint nor dismiss him, and yet he would be there, constantly reminding them that they were acting illegally, and observing the whole of their actions. With this clause the Bill is absolutely useless, and the Councils will have nothing to do. The right hon. Member for West Birmingham declares that only three per cent. of the whole money administered would be out of the exclusive control of the County Council—that 97 per cent. would be in their hands. How on earth the right hon. Gentleman arrived at that conclusion I cannot possibly conceive. If he had reversed the proportions I think it would have been nearer the mark. My own impression is that about fifteen per cent. will be under the control of the County Councils. The right hon. Gentleman made

the statement as an absolute fact, but gave no figures to prove it. I will take some of the figures and show that he is wrong. The right hon. Gentleman said—"You are going to appoint all the officers except two, the Secretary to the Grand Jury and the County Surveyor"—there are two Surveyors in some counties. There are only three classes of officers under the Bill. The Clerk is the legal adviser of the Council, keeps all the records, does all the writing, and has control of the general management of the Council. The County Surveyors manage the whole of the roads and bridges, and practically the Grand Jury, or their subordinate tribunals, the Presentment Sessions, control the Surveyors. The Baronial Council is a fine-sounding name, but the baronial constables do nothing except collect the rates; and, so far as I can make out the statement of the right hon. Gentleman the Member for West Birmingham, the County Councils are simply to be allowed the appointment of the officers who collect the rates. I am not even certain that they can appoint the baronial constables, because I do not find it in the Bill. Perhaps the right hon. and learned Gentleman the Attorney General for Ireland will give me some information on this point. I believe they are appointed at present by the Presentment Sessions and the county at large, where all the magistrates are present, and the appointments are afterwards ratified by the Grand Jury. But if they can appoint them, that is all the power that is left to the County Councils; the whole management will be in the hands of an official. I have often presided at these Baronial Sessions, and assisted at them. A number of contracts are given out for the repair of roads. We always choose the cheapest tender, but the County Surveyor may object to the cheapest, and if we interfere he tells us he has the law on his side. Practically, we cannot interfere with his objection, and, so far as I can see, these Presentment Sessions have no power whatsoever. We can ask the County Surveyor, as a great favour, to make or repair the roads a little better, and he may say he would do so to oblige us. The Grand Jury have the power of dismissing him, but that

power is not to be given to the new County Council, and therefore I say that the whole management of the roads and bridges is left in the hands of the Joint Committee. The County Councils will be entirely in the hands of the Surveyor for the ordinary repair of the roads and bridges. The right hon. Gentleman the Member for West Birmingham (Mr. J. Chamberlain) is generally very accurate in his facts and figures; but I think he made a mistake when he said that it did not appear to him that the representatives of the Grand Jury on the Joint Committee can fairly be described as landowners, and that they include a number of the largest cesspayers. Practically they are nothing else whatever but landowners. At the Baronial Sessions a number of the largest cesspayers are put on along with the magistrates, but on the Grand Jury there is nothing of the kind. I think the right hon. Gentleman mixed up the two things. The Sheriff has absolute control of the Grand Jury, and, to a great extent, he is limited by custom and precedent. What he practically does is to call the largest landowners. Where there is a titled Peer he calls his eldest son, and sometimes his agent, in his place. Sometimes he calls a Member of Parliament. But I think, on the whole, the Grand Jury is a fair working body. It is not a particularly dishonest body. I have heard that when certain appointments are to be made the Sheriff calls certain members of the Grand Jury who he thinks would be favourable to one side or another. I have heard that when large Railway Companies were likely to come into conflict with the Grand Jury they adopted the course of having some of the Directors belong to the Grand Jury. I believe it to be true, though there is a difficulty in proving it, that a Grand Jury was actually called to give one company a preference over another. People are not called on the Grand Jury because they are cesspayers, a very large number of the largest cesspayers in the country are left out, and the Grand Jury is essentially composed of the landowners. As to the question of the odd man in the Joint Committee, who is still in dispute,

impartial men are not easily got even in England. At any rate, the Grand Jury will have a large representation on this Joint Committee, and under this Bill the County Council will be bound at every step, and in every movement it makes it will find itself stopped by this Joint Committee, and it will be able to take no independent action whatever, except to a trifling extent watching the repair of roads and bridges, but even that only through an officer whom the Joint Committee can dismiss. They will be able to appoint the baronial constables who collect the rates; they will have the collecting of the money, and the Joint Committee will have the spending of it. It may be said that what is proposed by the Bill is better than the present state of affairs. Well, I do not say it is not. There is a certain sort of election, and I do not say that it is not better than the Grand Jury system; but we must remember that we shall have to pay a large amount of hard cash for it. It will take a good deal of money to start it for four or five years. Any Bill, however, will cost money; but why should we go to that expense for a bad Bill at the fag end, I will not say of a Session, but of a Parliament? This Bill is so bad that no change would improve it satisfactorily, unless it were remodelled lock, stock, and barrel. The hon. and gallant Gentleman the Member for North Armagh (Colonel Saunderson) said he represented the strongest Irish Party in this House, and that they supported this Bill. I have counted them, and I cannot make more than eighteen, including the right hon. and learned Gentlemen the Members for the Universities, and I do not know exactly whether they are under the control of the hon. and gallant Gentleman or not. There are eighty-five Nationalist Members. He has pointed out that they are at present disunited. I am sorry to say that is so, but we are united in thinking that this is a perfectly bad Bill, and I believe that when a really good Bill is introduced we will be united again. This is such a very bad Bill that we could not possibly support it. The Members for Ireland were prepared to give this Bill a fair hearing, and if it had been

acceptable to them they would have gone to their constituents and told them this was a good Bill they had got for them, and they would have supported it. But this Bill is so bad that it is quite out of the question. I do not think the Government could change the Bill so as to make it a good Bill. What I ask the Government to do is to make up their minds, when there are eighty-five Irish Members against and only eighteen Irish Members for this Local Government Bill, to pass the Irish Education Bill. Then they can do anything they like with this Local Government Bill. They can pass it or throw it up if they like, but I shall deny the manifestly unfair statement that it is a good measure, equal to those which were given to England or to Scotland.

\*(3.31.) MR. T. W. RUSSELL (Tyrone, S.): I have been rather unfortunate so far as this Debate is concerned, having been from necessity absent almost throughout the entire discussion. I am sorry the hon. Member for North-East Cork (Mr. W. O'Brien) is not in the House at this moment. He said some unkind things about me which were perfectly gratuitous, for I had taken no part in the Debate; and, inasmuch as I am going to speak very plainly about that hon. Gentleman, I should have been very glad if he had now been in his place. The hon. Member appeared yesterday, so far as this Bill is concerned, in a somewhat new rôle. He professed to speak for the whole of the Nationalist Members, and for the Ulster Protestant farmers. He said that this Bill was rejected by the entire Nationalist Party in Ireland, and that it was despised and contemned by the Ulster Protestant farmers. Now, I am not going to challenge the hon. Member's right to speak for the Irish Nationalists—that is their business and not mine—but when he speaks in the name of the Protestant farmers of Ulster I must ask him where he got his mandate and his instructions? The last time that the hon. Member appeared before these Ulster farmers he was ruthlessly driven from the country, and I will now make this challenge to him. We are not far from a General Election, and I am glad of it, and if the hon. Member for North-

East Cork has any love for the Ulster Protestant farmers, and thinks that he is their true Representative, I invite him to go back to his old constituency of South Tyrone, and I will undertake to prove not only to himself, but to the country, that the hon. Member never had, and has not now, the slightest title to speak for or to represent that body. He will not, if he goes there, require the protection of the Royal Irish Constabulary—he requires that in Cork—he will not require any protection whatever; the Protestant farmers will deal with him with other weapons; he will be killed with ridicule and with the contempt which he has so richly earned. Any verdict upon the Bill now before the House must depend, I believe, entirely upon what individual Members expected the Bill to be. I can quite understand the disappointment of those Members who thought the Government were going to introduce a Home Rule Bill under the guise of Local Government; and also of those Members who expected that instead of the reform of county administration the Bill was to deal with the administration of Dublin Castle. Such Members have a right to be disappointed with the Bill. It is not a Home Rule measure, or a Bill for the reform of Dublin Castle, but it is precisely according to the pledge given by the Government, namely, that they would introduce a Bill on the lines of the English and Scotch measures. The hon. and gallant Member for Galway (Colonel Nolan) thought that it would be a possible Bill if it had proposed to buy up the grass farms in Ireland.

COLONEL NOLAN: No, I did not say that.

\*MR. T. W. RUSSELL: At any rate, if that provision had been within the four corners of the Bill, it would have commended itself somewhat to the hon. and gallant Gentleman.

COLONEL NOLAN: Hear, hear!

\*MR. T. W. RUSSELL: Yes, but a Bill that proposed such powers would probably not have commended itself to this House, or to the taxpayers of the country; and I do not know what hon. Gentlemen sitting around me, who have almost sworn that they will never give another sixpence for such a purpose,

would say to such a proposal as the buying up of the grass lands in Galway or all over Ireland. But what the Government undertook to do was to propose a reform in the county administration of Ireland, and the real question is whether the Bill redeems that pledge. I am bound to say that if the hon. Member for West Belfast (Mr. Sexton) intended in his speech to burlesque the Bill then his speech was an exceedingly successful effort. But burlesque is hardly the thing for this House, and I prefer to look at the Bill and see what it really does. First of all, regarding the franchise, let me ask this question of any hon. Member. I do not care what part of the House he sits in. Has the Government redeemed its pledge so far as the franchise is concerned? I put it to this test. I will assume that this Bill passes into Committee. Would it be possible for any hon. Member on this side of the House to move an Amendment that would widen the franchise that is given by the Bill? That is a fair test. If this Bill passed into Committee hon. Members would not be able to propose an Amendment in Committee that would widen the franchise that the Government have given.

MR. SEXTON (Belfast, W.): Certainly.

\*MR. T. W. RUSSELL: If they did, they would take the franchise beyond the franchise that has been conferred either in England or in Scotland. This Bill gives a vote to every cesspayer. You cannot go deeper than that. The Bill gives every cesspayer, whether he lives in a cottage or in a castle, the same vote. I hold that, with such a franchise, it cannot reasonably or fairly be contended that the Bill is not "broad-based upon the people's will." Then, as to the functions of the new body. Let us see what the Government have done there—let us see if they have redeemed their pledge upon that point. In one respect the Bill is better than the English Act—I was going to say it was better than, but it is practically on the same lines as, the Scottish Act. It not only gives County Councils to administer county finance, but it creates District Councils, a thing which has been asked for

*Mr. T. W. Russell*



almost every week by hon. Members sitting beside me. Therefore, upon that point, it is an improvement on the English Bill. As to the functions of the new bodies, I say unhesitatingly that all the fiscal business of the Grand Juries is handed over and transferred to these new bodies. In addition to that, they are at liberty to take over the sanitary work of the locality. They take over the powers relating to the Cattle Diseases Acts, and other Acts of that kind. The hon. and gallant Gentleman (Colonel Nolan) made light of some of that work. He talked about factories, and asked what was the use of conferring powers regarding factories on a country that had no factories. But the hon. and gallant Gentleman fell into the mistake of thinking that Galway is Ireland. I quite admit that there are no factories in Galway, and it is an exceedingly interesting question how it comes that there are no factories there. But there are factories elsewhere. There are factories in my own constituency, and I do not think it of no importance that the body which has the administration of county affairs should have the control of the laws regulating those factories. I say, so far as the functions of those bodies are concerned, that, roughly speaking, the same powers that were transferred under the English Bill from the English Justices, and under the Scottish Bill from the Scotch Commissioners of Supply, have been transferred to the Irish County Councils, *plus* this: that there are District Councils in this Bill as well as County Councils. There are four complaints made on this head. The first is that the Bill does not give powers over the police to the County Councils. My first answer to that is that the police were not under the control of the Grand Juries. This Bill proposes to transfer certain functions from the Grand Jury to the County Council. The Grand Jury never had any control, any power, over the Police Force of Ireland. Therefore, what they had not could not be transferred. Then, in the second place, the police, as everybody knows, is a centralised force in Ireland. It is not, and has not been, amenable to local control, and it is certainly a large order to ask that that force, which you

refused to hand over to a Home Rule Parliament, should be handed over to a County Council. I say that is a wonderful growth in six years; it is a wonderful piece of procedure, but I do not think that any reasonable man, looking at the state of Ireland during the last thirteen years, can complain that the Government have not proposed to hand over to these Local Bodies the power of the Irish police when the right hon. Gentleman the Member for Midlothian (Mr. W. E. Gladstone) was not prepared, in 1886, to hand these policemen unreservedly over to an Irish Parliament. The London County Council has no power over the police. The English and Scotch County Councils have not complete control over their police. They have only the control of the police in conjunction with the Standing Joint Committee, and is it to be contended or argued that Ireland is to be the country where this first step is to be taken and where this tremendous experiment is to be made? Is it to be contended that Ireland offers precisely the field that is suitable for this great experiment. I think you cannot fairly ask that Ireland should be the theatre for the first experiment of the kind that you have withheld from the County Council in London, and that you have refused to do and have not done in any English county. The next point of objection is that the malicious injury presentments have not been transferred to the County Council. That is true, but the awarding of sums for malicious injury is not a matter of county administration. It is a judicial, or at least a quasi-judicial function. I do not think myself that the provision to leave that in the hands of the Grand Jury is a proper provision. I should like to see it changed. I should like it to be given to a judicial authority; but I say without the slightest hesitation that the worst possible authority you could give it to would be the County Council. If you handed this power over to the County Council every member of that body would be pecuniarily interested in throwing out every application. It would be to his own personal interest, apart from the interest of his constituents, to throw out every application. Another objection is that the Grand Jury is left at all. Hon. Mem-

bers think that the Grand Jury ought to have been abolished. But Grand Juries have not been abolished in England; and if this Bill becomes law, the Grand Jury will practically be left only with judicial functions, and all the fiscal functions that they possessed will be transferred. Here, again, I repeat that we are not entitled to make such an experiment in Ireland first. The most important objection of all, however, is the objection dealing with the Standing Joint Committee. The hon. and gallant Member for Galway (Colonel Nolan) said if that provision and one or two others were out of the Bill he thought he could reconsider his decision to vote against it. I would like to deal with this question of the Joint Committee seriously. The hon. Member for West Belfast, in what I call a speech which burlesqued the Bill——

MR. SEXTON: In reference to that observation, I beg to say that I categorically and most precisely specified to the House several particulars in which the Standing Joint Committee controls the County Council, and I am prepared to affirm, prove, and justify my contention in every particular here or anywhere else.

\*MR. RUSSELL: I have no doubt of that. I am only giving my opinion of the gist of the hon. Member's speech. In the first place, I would like to say that whatever objection may be taken to the Standing Joint Committee it is distinctly within the pledge given by the Government. It is in the Scotch Bill, and the Government proposed to introduce a Bill on the lines of the English and Scotch measures. Unquestionably the County Council, apart altogether from the question of the Standing Joint Committee, would be able to control the ordinary expenditure, which the Grand Jury now control. That is a great amount of the total expenditure, and the capital expenditure is small in comparison with the ordinary or current expenditure. It was only on the point of capital expenditure, roughly speaking, that the control of the Standing Joint Committee came in. I would ask hon. Members this question. Do they think, does this House think, that there ought to be no control in this matter? Just let us look at who pays the cess

in Ireland. Surely taxation and representation ought to go together. We have been deliberately warned, on more than one occasion, that we may create these County Councils if we like, but that they will be captured and held as Nationalist positions. But let me take one instance from the West of Ireland—that of the barony of Castlerea. The total valuation of this barony is £40,534, and the total number of cesspayers in it is 2,600. Now, nine men out of the 2,600 pay one-fourth of the total county cess, and thirty-five more than half of the entire amount. These are precisely the class of men who have very little chance of being elected on the County Councils. Why? Because the Councils are to be captured and held as Nationalist positions. What hon. Members say is that the people who pay the greatest amount of county cess shall have absolutely no representation or control at all, and yet that the large majority of cesspayers who pay the smallest moiety shall have control over the entire cess. Now, I do not see how we can yield to such a demand as that. These people have a right to some reasonable control over the expenditure, but not to the entire control. It has been said that the real reason why the Standing Committee was appointed for Scotland was that the landlords pay half the rate. That is absolutely true; but I have given the case of one barony in Ireland, and that one is only a sample of the whole country.

MR. FLYNN (Cork, N.): Not as to the landlords.

\*MR. RUSSELL: The hon. Member for North Cork is simply drawing a bow at a venture, and making an assertion without any ground whatever. It is true that in Scotland the landlords pay half the rate, but the House will see that in this case the landowners are occupiers as well, and I hold that such men have some right to protection at the hands of the House. I now come to another difficulty connected with the franchise, and it is one to which I should be glad to call the attention of the hon. Member for West Belfast (Mr. Sexton). When this Bill was read a first time I had some doubts as to the usefulness of the cumulative vote. My

*Mr. T. W. Russell*

general idea at that time was that it would give a substantial representation to Catholic minorities in the North of Ireland, and a very unsubstantial representation to Protestant minorities in the South. I have since had reason to change my mind. Take the North of Ireland, for instance, and what do we find? In the County of Antrim, for example, out of a total population of 172,000, excluding Belfast, there are 36,000 Roman Catholics. If we take the County of Down we find that out of 173,000 inhabitants 73,000 are Catholics. There, again, the Catholics are in a great minority, and they would run the risk of not having a fair share of representation.

MR. SEXTON: In reply to the appeal of the hon. Member, I would say that, in my opinion, the Catholics in the Counties of Antrim and Down would have their share of representation.

\*MR. RUSSELL: I am interested in the testimony of the hon. Member; but I think evidence has been given upstairs on this subject.

MR. SEXTON: No; the hon. Member must be aware that not a single witness has been called before the Committee.

\*MR. RUSSELL: I will not contradict the hon. Gentleman in regard to evidence which has not yet been reported. My view is that, so far as the cumulative vote is concerned, it is one of the best features in the Bill. A right hon. Gentleman on the Opposition Front Bench seems to be very much amused in regard to that statement. I do not see why. I do not believe in the divine right of majority representation. It may commend itself to the right hon. Gentleman the Member for Derby (Sir W. Harcourt), but I have parted company with it.

SIR W. HARCOURT (Derby): The hon. Member must be referring to a statement of the right hon. Member for West Birmingham (Mr. J. Chamberlain).

\*MR. RUSSELL: I am not bound to agree with my right hon. Friend the Member for West Birmingham in everything. I say that, under the special circumstances of Ireland, the cumulative vote is a fair plan to adopt in a measure like *this*, and that it is not a

new plan. In all the School Board elections in England you have adopted it in precisely the same way. Now I come to the question of the illiterate voter. Why should he be placed in such a position that when he goes into the polling booth another person has the power to intimidate him under the excuse that the voter is ignorant and unable to read and write? I do not take refuge in the fact that only a fortnight ago this House passed a Resolution approving of the principle of withdrawing the privilege which the illiterate voters now possess. I only point out that there is no proposal in this Bill for the disfranchisement of the illiterate voter. To disfranchise any man you must disqualify him, and strike his name off the list of voters. Neither of these things is done by this Bill. The illiterate voter is in the same position as other voters. He will be free to go into the polling booth and do what he likes in it. We may be very anxious to court the smiles of the people, but we need not bow down to ignorance. There is only one thing more about which I wish to say a few words. This Bill has been largely discussed on the Second Reading as if it had been in the Committee stage. I do not profess to agree with all its details—I do not care, for example, for the clause giving the Grand Jury the power of dealing with the question of malicious injury, nor for the provisions which make the Sheriff the Chairman of the Standing Committee.

An hon. MEMBER: He is not to be.

\*MR. T. W. RUSSELL: He is suggested as the Chairman. As to the safeguards provided by the Bill, I repeat now what I said on the First Reading. I am not able—and if it comes to the vote I shall not be able—to vote in favour of the clause which enables the members of a County Council to be taken before a Judge. I have not changed my mind in the least in regard to that. I think that the present law is sufficient to deal with malversation and corruption, and I would not put the County Councils in such a position. But that is not of the essence of the Bill, and I set very small store indeed upon the declaration of hon. Members below the Gangway with regard to the hostility which they say exists to the

measure. I heard such a declaration in the discussions on the Land Bill of 1890. The Leader of their Party then came down to the House and moved the rejection of that Bill, and the whole of the Party marched into the Lobby against it; but in the following year I saw them come back—all glad to get a worse Bill.

MR. SEXTON: Not glad.

\*MR. T. W. RUSSELL: Well, I may put my own interpretation upon it. I saw what happened in that case, and I now say that I believe that this Bill is a substantially good Bill in principle. I do not commit myself to all its details, but I shall certainly vote for its Second Reading.

(4.3.) MR. W. E. GLADSTONE (Edinburgh, Midlothian): It is with some reluctance that I enter into this Debate. It is far more agreeable and satisfactory to me to meet what I may call the imperfect measures of the Government such as we have had in former Sessions and in the present, and to lend my humble efforts towards the improvement of those measures, than to take up the ground of objecting to the whole basis of a Bill and to appear as an opponent to a measure which, in the view of the Government, is calculated to be for the good of Ireland. It is remarkable that we are now debating the Second Reading of a measure with regard to which we have no means of forming a judgment whether it is intended to make a serious effort to pass it into law. However, having the Second Reading before us, and viewing the very important position that this measure holds in respect to the professions of parties, and to the whole policy of the Government, I do not feel that I can avoid taking part in the discussion. It has been said that this is a Bill of a limited scope for the improvement of—the hon. Member behind me said with perfect truth that it makes no profession to do more than to improve—the Local Government of Ireland by means of County Councils, and that it may be discussed upon that basis alone. However, we have to consider of what professions made at a former critical period when the Members of this House received their commission from their constituents this

Bill is the solitary and lingering representative. It was not then intimated to us that we were to deal with Irish Local Government upon a basis—as we think we find it here—distinctly inferior to that which has been adopted for England and Scotland. It was not then told us that Local Government was all that the Party which obtained a majority at the General Election was able to offer to the country. Local Government for Ireland, put upon full equality with the Local Government of England and Scotland, was the minimum of the promises that were made by the leaders of Parties, and especially by the leaders of that Party which has made the minority of the Government into a majority, and which has effectively carried on the Government and made possible its existence for the last six years, and which went far beyond the promises of merely local institutions. I speak of the Duke of Devonshire and my right hon. Friend the Member for West Birmingham (Mr. J. Chamberlain). These gentlemen were not content to say that they offered a good Local Government Bill for Ireland in lieu of the Home Rule Bill. They spoke of everything that was short of an independent Parliament; they spoke of provincial assemblies; they spoke of radically re-constituting the whole Irish administrative system. That was the promise of the new Government. They spoke of a large devolution even of national powers to an Irish Assembly. All these promises have dwindled away in the Bill which is now before us. Take their last—that is, their new—promise; because, by all that is known of it, we shall ultimately have to try this Bill. I take, as an instance as the minimum of what they offered to Ireland, the utterance of my right hon. Friend the present Chancellor of the Exchequer. He said—

“Against a policy of separate and uncontrolled executive in Ireland the Unionists set up a policy—”

[At this point the right hon. Gentleman, being unable readily to decipher the manuscript from which he was quoting, turned to Mr. JOHN MORLEY, saying, “Will you kindly read it for me?” This Mr. MORLEY did, as follows:—

*Mr. T. W. Russell*



"Against the policy of separate and uncontrolled executive in Ireland the Unionists set up a policy of the extension of the power of self-government in Ireland on lines applicable—subject to necessary modification—to the people of England and Scotland as well."]

That was the declaration on the part of a right hon. Gentleman who certainly never has been distinguished by the liberality of his ideas with regard to Ireland. On the part of the Government of that day, we have the letter of the noble Lord the Member for South Paddington (Lord R. Churchill), in which much more was stated, because there the local institutions which were to be given to Ireland were to be not only equivalent, but contemporaneous, with the gift to England and to Scotland. And now, after six years, we are engaged in discussing as the entire result of those promises, and of the pledges made before the country in 1886, a Bill which, while undoubtedly it is confined to Local Government, starts from the very minimum of what the most parsimonious among those promisers offered to give, a Bill which in giving that minimum of Local Government, as we undertake to show, stamps Ireland all through with inequality and inferiority, and stamps the gift as less than that which has been awarded to counties in England and in Scotland, and falsifies even the last miserable and contracted relic of those engagements which were offered to the country, and which were taken by the country, as the condition on which the commission of 1886 was entrusted to the present majority in this House. Well, Sir, I must also consider not only what is the Bill offered, but who are those that offer it, and with what accompaniments. We were, at the period of 1886, much disposed to concur in opinions which had been delivered by Lord Salisbury as to the special dangers or difficulties that would attend the foundation of local institutions in a country like Ireland, apart from any source in a local Parliament which might be established in Ireland, and from the control which such a local Parliament could exercise. The people of Ireland have not been sighing and longing during these six arduous years for Local Government, but for something more than Local Government, and this Local Government with which

they are now desired to be content—this Local Government is given them in lieu of that larger measure on which their hearts are set. And the very Minister, the head of this Government, who offers to them the Bill now before the House, warns them that if instead of accepting this Local Government Bill they prosecute the object dearest to their hearts, they prosecute it at the hazard, at the certain expense, of civil war, to which that Prime Minister holds the language of distinct encouragement. It is necessary, Sir, that this should be stated in this House, and that I should go so far, with your permission, as to give distinct and definite explanation of my meaning in order that we may know whether those opinions of Lord Salisbury are the opinions of the Ministry at large, or what defence is intended to be alleged or set up on behalf of the use of such language by persons holding such a position. It will be very easy to sustain at length the statement I have made, but I will only give the upshot of the declarations of Lord Salisbury on 6th May. I have with me now the speech reported in the *Times* on the 7th; and if the fairness of my statement is challenged, I will quote the words of Lord Salisbury and the actual passages of the report. The upshot of the statement was this—that to pass a Bill constituting a Parliament in Dublin, subject to the supremacy of the Imperial Parliament, is to place the people of Ulster under Dr. Walsh and his political friends; and that to place the people of Ulster under Dr. Walsh and his political friends was one of those excesses of power, one of those violations of understood principle by which all Parliaments and Governments are limited, which would throw the people back upon the rights which they exercised, according to Lord Salisbury, in the reign of James II.; and, finally, that if to maintain the law against rebellion it were necessary in such a case, after the passing of such a law in the Imperial Parliament—if it were necessary to use the Forces of the Crown to maintain such a law against rebellious disobedience—that would be such an outrage as would rend society in two. That, Sir, is the declaration of the Prime Minister—not a prophecy alone—but a distinct en-

couragement, if such a law should be passed, to the few misguided men who might be capable of imbibing the dangerous doctrines of the Prime Minister—a distinct encouragement to them to resort to the use of unlawful arms against the constituted Authority of this country and against its deliberate decision. What is the state of the law against which Lord Salisbury thinks such action might be adopted? What is the state of law which is now maintained? It is the state of law established by the Act of Union. What was the condition of Ireland before the Act of Union? It was that of a country governed by a Parliament as entirely separate and as entirely independent as is the Parliament sitting within these walls at the present day. The whole powers of that Parliament were given away; the national life and traditions were made over without even the previous process of a Dissolution—were made over by men who sat within its walls upon their own discretion to another land, to another body; and there indeed—if you can have an excess of power bringing into question the first principles of society—there is one of the most glaring instances of it to be found in the records of history. That offers no difficulty to Lord Salisbury; that was a perfectly regular proceeding, although the supreme power was given away. But should this House—this omnipotent Parliament—should this Institution think fit to exercise its discretion—in what sense?—not in the sense of giving back the supremacy to Ireland, not in the sense of altering the seat of the supreme power, but in the sense of investing Ireland with the control, and independent control of its own local affairs—then, indeed, the foundation of society will be broken in two! Sir, it is impossible to conceive a more perfect contempt for all history, for all political principle, or all practical wisdom or sagacity, than as it appears to me is contained in this declaration. And as I think we have a right to know from the Government whether, in case the Legislature should think fit to give back to Ireland a portion of what we took from it, that law will be a law which it will be the duty of the Government to support, and, in case of need, to enforce against disobedience and rebel-

lion. Those are the conditions on which Irish Members, and on which this House have offered to them, the stinted gift that is supposed to be contained in the Bill now before the House. But surely, Sir, after such a reduction of promises, after the re-constitution of the administrative system has vanished into thin air, after the exhibition of Dublin Castle as an object suited to cast out the horrors of mankind has been entirely forgotten, after even Provincial Councils in Ireland are no more within the scope of the political horizon, at least we ought to expect that this County Government Bill would emulate the Bills for Scotland and for England in generosity and efficiency, and to that last test we have now to subject the provisions of the Bill. I will not go through all the points of controversy in a large and complicated Bill; but what I see in endeavouring to analyse it is this: that Her Majesty's Government have been hampered by the recollection that there was to be some relation or other between the Irish Local Government Bill and the Bills for England and for Scotland. Consequently, they had gone searching here and there, and everywhere for something in the nature of a precedent that might abet their aim in restricting the already dwarfed measure that they were about to produce to the House. Well, Sir, in these Local Government Bills for England and Scotland, and here and there in our legislation, there are of course a number of doubtful enactments, and there are some, in my opinion, of unquestionable unwisdom. Wherever that is the case it has been carefully adopted. Not only has it been made to do duty as a precedent; but in carrying it over to Ireland it has been magnified, it has been exaggerated, it has been applied to new subject-matter, it has been stripped of every limitation and safeguard that qualifies the mischief it might do in this country, and then it is offered to the Sister Island as the final boon of a generous Government, and as a fulfilment of the promise of 1886. Let us look at these cases and see how they stand, because it is better not to dwell upon a great number of instances. And the first case I take is the case of that

*Mr. W. E. Gladstone*

provision of our law which has fixed the boundaries of electoral divisions by an authority extraneous to Parliament. So far as I recollect, in our various Reform Bills that has always been found necessary. Parliament has not absolutely fixed in the first instance—but it has been done by subsequent Act—the actual outlines of the several electoral divisions. There is a principle taken from English and Scotch law, from the Parliamentary law of the country, which enables us to say that we may give some discretion outside Parliament in fixing the divisions of the counties that are to exercise the franchise under the present Bill. Here I will make one reference to the speech of the hon. Member who has just sat down (Mr. T. W. Russell). He says, with perfect fairness, that the franchise is a very wide franchise; but let me say that the width of the franchise most essential to a good popular Constitution, where it is accompanied with other provisions, is worthless unless those other provisions are supplied to make sure that the franchise, when it has been exercised, shall lead to a well-organised system of proper and adequate results. You will find no more extended franchise, I believe, than the franchise which determined that Louis Napoleon should be Emperor; but upon that aye or no the whole virtue of the Franchise was exhausted; and though there can be no objection to it in point of width, there are great objections to it in point of efficacy. The efficacy of this franchise depends, first of all, upon the manner in which it is to be given, and the very first of all, upon the mode in which the counties are to be marshalled and to be divided for the purpose of electing County Councils. And what does the Bill say upon that subject? And how does it stand in connection with the English precedent? In the English precedent every electoral division is fixed by Parliament. Then for the determination of the boundaries strict rules are laid down, and, finally, the applying of those strict rules to the facts of the case is a task entrusted to an impartial and a non-political authority. How stands that function in the present Bill? It is handed over bodily to the absolutely un-

limited and arbitrary discretion of the Lord Lieutenant of Ireland. He is to divide up the counties—the Bill does not say into how many divisions, nor does it say that they are to be made relative to the population. He is under no restraint whatever as to the size of these divisions, as to the number of people they shall contain, or finally as to the number of representatives in a County Council, which it is in his power to commit to them. He may go through the five counties of Ulster where there is a Roman Catholic majority, and he may in any one of those counties so manipulate the divisions that a large number of the County Councils must be returned, I will not say hostile, but, at all events, opposed to that Roman Catholic majority. There is no limit to his discretion. He may make a division here of 50,000, with two representatives, and a division there of 5,000, with five representatives. The whole of this Bill, by that one provision as it now stands, absolutely places at the command of the Lord Lieutenant—for the purpose of enabling him, if pleases, to destroy the whole effect the Bill as a Bill enfranchising for the purposes of Local Government—the population of the counties of Ireland. So much for the case of the boundaries. It will be observed, then, that there is a precedent for calling in the aid of an extraneous authority; and while we invoke so far its countenance, we studiously cast aside and throw overboard all the limitations which make the exercise of that authority safe and convenient, and we constitute an absolutely unlimited power in a manner which cuts at the very root of this Bill, by enabling the Lord Lieutenant to defeat the whole purpose of the Legislature. Then, Sir, I take the next of the three precedents which I intended to touch upon—that is, the dissolution of an elected body by a non-elected authority. And here I must give myself the satisfaction of paying a just compliment to the speech of the hon. Member behind me (Mr. T. W. Russell), who has just sat down. He has shown by that speech and he has shown, I think, on other occasions, if he will forgive me for saying so, that he can stand a good deal, but there are

some things which he cannot stand ; and it does him honour, as it gives me satisfaction to record that this provision for the dissolution of the County Councils upon the dictum of two Judges is more than he can endure, and he intends to offer to it a stout resistance. That provision, however, is a vital part of the Bill. In the speech of the right hon. Gentleman the Irish Attorney General (Mr. Madden) I observed that the epithet "vital" was introduced, and, I think, repeated at the particular portion of his speech which immediately preceded the provisions about the Joint Committee and the provisions about the dissolution of the Councils, and I think the hon. Member will have to look out in order to see that he can with safety exercise the liberty which he has promised to himself to put in use, or he may find he is in the condition of disturbing the foundations of this great Administration and endangering the unity of the Empire. And how do we stand with regard to this principle of dissolving an elected body? It appears to me that this is a very serious affair indeed, and the precedents which exist are, in my opinion, open to some questioning in themselves. As far as I know there are two precedents—one of them in Ireland with regard to the Boards of Guardians, and the other in England with regard to the School Boards—where provisions are undoubtedly embodied in a law for the dissolution by an authority that is non-elective of a body which is elective. Well, Sir, how do these stand? In England a School Board may be dissolved at the discretion of the Education Department for certain offences, and likewise for failures of duty, which I must say are described in rather large and loose words, which I have difficulty in justifying. But when a dissolution of a School Board has been effected, what takes place? A re-election. But there is to be no re-election of a County Council in Ireland by the same constituency after it has been dissolved. The Government have before them the precedent of the School Board where the large and loose words of power to dissolve are accompanied by a stringent provision for re-election by the same popular constituency, yet here, as in every other case, they cast aside the

good part of the enactment, and adopt the bad. They make the large and loose words far larger and looser still ; but they abandon the safe and salutary provisions of the Education Act of 1870, which requires the re-election of another School Board by the same constituency. Then take the case of the Boards of Guardians. Precedents in Ireland are not entitled, perhaps, to very great veneration in themselves. But what is the case of the Boards of Guardians in Ireland? They can be dissolved by the Local Government Board. I admit the Local Government Board cannot be considered as an impartial civil authority. It partakes of a political colour, because it is, I believe, under the control and discretion of the Chief Secretary. But that is not all. That power of dissolution, even of Boards of Guardians, must be exercised upon conditions that are rather strictly defined. They can only be dissolved either for not holding meetings which are recognised by the proper authority, or for default of the purposes contemplated by the Act. So that the meaning of that is that the Guardians are dissolved by summary process for not having conformed to the conditions of the Act of Parliament, instead of being subjected to the more cumbrous process of being dissolved by the Courts of Law. But what I want to point out is that in the case of the School Boards, where the words are large and loose, but are covered by the provision for re-election, the re-election is cut out and the large and loose words are retained. In the case of the Boards of Guardians where there is no re-election, where the Executive Authority steps in and appoints paid officers to discharge the business of the Poor Law, they perform exactly the same process in principle, with a complete inversion in form—that is to say, they retain the portion with regard to re-election, but they part with the loose words that confine within limits the exercise of the prerogative of the central authority. That, Sir, I affirm is the manner which all through, so far as I have been able to examine, the precedent is not used but abused. It is transformed, transplanted, misapplied. It is given to new subject-matter, and



everything that keeps it within safe bounds and limits is dispensed with in order that provisions, really quite new, may be presented for the acceptance of the people of Ireland. I must say another word, apart from the question of precedent, on this dissolution of an elected body. In the first place, it appears to me as if these provisions had been devised by men who, strangely enough—I cannot account for it, I cannot and do not impute it—intended, and who have acted in such a way—a way that this must be the result—to deter every man with a grain of self-respect from entering the County Council. I should like to know how many gentlemen in this House, be they Irish, English, Scotch, or Welsh, would consent to enter into County Councils liable to be hauled up before two Judges, possibly two ex-Attorney Generals, who never said one word in all their political career except in antipathy to the interests and feelings of the people of Ireland. But apart from that, and granting that they were the best Attorney Generals, how many men would consent to sit on a body liable to be hauled up before such a tribunal? Would the right hon. Gentleman the Member for West Birmingham (Mr. Chamberlain) or the hon. Member for Bordesley (Mr. Jesse Collings) sit upon such a body? Why, Sir, I think too well of them both to believe they would for a moment entertain such a proposal—a proposal which has never found its way within the precincts of this country, and which never in the whole vicissitudes of political affairs will be heard of in connection with the Government of Great Britain. Is it to be laid down as a general principle that the Judges outside the law are the persons best qualified to weigh the propriety or impropriety of the discharge of administrative offices. How did they acquire that capacity? Whence does it come to them? I heartily admire those efficient provisions of our system which are given to the Judges to compel every civil and administrative officer, however high his position, to conform to the requirements of the law; and therefore, with regard to the punishment of corruption on the part of a Council Council, my one observation is that I cannot conceive why a new pro-

vision is requisite. With regard to malversation, I am not quite sure what it means, but putting on it the most favourable construction, it means, of course, a departure from the fixed intentions of Acts of Parliament, and, if so, why is a new provision requisite? The whole pith of this new provision lies not in corruption and not in malversation, but in that undefined word “oppression,” which may be inflated, twisted, magnified, or tortured into anything and everything that prejudice may suggest. The right hon. Member for West Birmingham (Mr. J. Chamberlain) said in my hearing last night that it would be quite easy to provide a definition of oppression. Why has he not tried his hand at it?

MR. JOSEPH CHAMBERLAIN: We are not in Committee.

MR. W. E. GLADSTONE: It would have been a great consolation if the right hon. Gentleman had shown us in what way he would define oppression, inasmuch as this is no Committee matter, but it goes to the root and heart of the Bill. I observed that the right hon. Gentleman came out yesterday as a man equipped with a large store of legal learning, because although he did not profess to give a legal opinion on his own part concerning the Bill, yet he told us what the lawyers would say, and he was able to do that because he is a better lawyer than they are, or at least quite as good. But I was astounded to hear him say he could define oppression quite easily. Why has no one done it? Is it not the first requisite of all conditions of freedom that the law shall be defined? Why are we to have a new form of Brehon Law introduced into the Bill, and why is not this most necessary definition of oppression to be supplied? The Attorney General for Ireland (Mr. Madden), a very competent Gentleman, I need not say, was ready to supply a legal definition.

THE ATTORNEY GENERAL FOR IRELAND (MR. MADDEN, Dublin University): I was not. I was answering a speech addressed to the House by the hon. Member for West Belfast (Mr. Sexton), whose only observation on this provision was that he declined to argue the point. Therefore, I had

nothing to answer in connection with this matter.

MR. W. E. GLADSTONE: That is perfectly true. But the Attorney General's duty, as the organ of the Government explaining this Bill to the House, ought not to have been limited to a mere reply to particular points mentioned by an hon. Member. Besides, the right hon. and learned Gentleman cannot avail himself of that shelter, because he complained of the Member for West Belfast for having declined to impeach this provision, and he said that, although it was not impeached, he would proceed to define it. Why did he not do so with that which most of all wants defence—namely, the audacity—I hope that is not too violent a word—which has led to the introduction into an Act of Parliament in a country where, as we are told by the Government itself, excited feelings prevail, of a new word absolutely undefined, and capable of being applied, unless defined, to suit purposes of prejudice, passion, and malignant animosity in any and all the shapes which, in a distracted country, from time to time they may assume. So much on the subject of the dissolution of the Councils. Now, I come to the question of the Joint Committee, and here the old rule holds. Everything in the nature of a precedent, or what could be made to seem so in England or Scotland, has been adopted as far as it was bad, and has been set aside so far as it was good. I am not now going to enter a debate on the larger principles to be fought out on future occasions between the right hon. Member for West Birmingham and the hon. and gallant Member for Galway (Colonel Nolan). But it may be interesting for the right hon. Gentleman to know that in his absence to-day his computation respecting ninety-seven per cent. of the county expenditure being subject to control of the County Councils, and three per cent. being exempt from that control, has been by the hon. and gallant Member, with some detail and care, nearly turned inside out, and, as he contends, it will be far nearer the truth to say that three per cent. will be subject to the control of the County Councils, and ninety-seven per cent. not subject to their

control. But I will not enter into that because I wish to come to the illustration of what I think is the main proposition in this Debate—namely, the manner in which the promise to apply equality of principles to Ireland as compared with England and Scotland has been, as I say, entirely disregarded and abandoned. The Government were determined to introduce into this measure the question of a Joint Committee. The hon. Member for North Longford (Mr. Timothy Healy) did not understand why there should have been a Joint Committee at all, and I certainly have not heard an adequate argument in favour of it. But still there are Joint Committees in England and Scotland. Let us see whether they afford any precedent or supply any real guidance for the constitution of Joint Committees in Ireland. I take the English Joint Committee, and I begin by complaining on the part of a very large minority of this House that in our view the Joint Committee in England is altogether bad. It was objected to and was resisted by us to the best of our ability, and I firmly hope and firmly believe that the time is removed from us by a very few months when there will be a House of Commons disposed to make a very short work indeed of these Joint Committees. I have no right to complain that the Government should have passed their Bill in that form, because they made a fair declaration of principle. But what is the English Joint Committee in England? It is limited to the single function of taking care of the police. That is not at all what we believe in, but it would have been a great deal too much to expect that the Government should offer us anything in the nature of a substantial attempt at decentralisation in Ireland. There is nothing in the nature of an attempt to invest the people with the control of their own local affairs in their own local centres, and I admit that would have been too much to expect of the Government. It would have shown that we do not at all understand the spirit of the majority with which we have to deal. But I observe that the Joint Committee is extended from one function to a vast range of functions.

*Mr. Madden*

of the most vital consequences. The Joint Committee in England has one good point, and that is that it is fairly constituted. Its balance is good. There are seven County Councillors and seven Magistrates, and there you have an example of a fair balance. They meet and fight it out and come to some arrangement or accommodation. Why do you not allow the Irish to do the same? No, the one feature in the English Joint Committee—namely, that of a fair balance of parties—is studiously thrown over, and the English precedent is upset before it is transplanted into Ireland. Then we have a Scotch precedent, and there the function is more extended. In Scotland the Joint Committee exercises a control not only over patronage, but over capital expenditure, which is a control nearly as extended, I suppose, as is proposed to be given to this Irish Joint Committee. Yes; but why? Because in Scotland the landlord has paid his rates as the occupier on the land that he has occupied, and has paid half the rates on the land that he does not occupy. And, therefore, he has a very large and direct interest and is recognised as a separate authority, and is entitled to separate representation. In Ireland he pays nothing, except in cases comparatively trifling. With the exception of a very small portion which is occupied by the landlord, the land is let and the landlord does not pay the county cess. In Scotland there is a preservative and a safeguard, for a judicial officer sits and holds the balance between the representatives of the landlords and the representatives of the County Council. That is a good provision, a safe and conservative provision, and as a matter of course it is thrown overboard in constructing the Bill of the present Government. So that as you go along from point to point whatever provision is against the people is adopted, and whatever secures the exercise of power in their favour, and the due and equal representation of the people is entirely cast aside. Then the right hon. Gentleman the Member for West Birmingham and the Attorney General for Ireland, with the gracious assent of the First Lord of the Treasury, say that if we can find an

impartial man the Government will be prepared to accept him. But it is not our business to amend the vital faults in the proposals of the Government. We must estimate the Bill by the provisions it contains, and not from appeals made by them to independent Members of this House to do what they ought to have done themselves. It is all very well, but what is the promise that has been made? What if we can find an impartial man, they will let him in. But are they bound to take as an impartial man the one whom we propose? No; objection will be taken to our impartial man by the majority, and no doubt the objection will be allowed to stand. And what is the arrangement as it stands? By dint of adopting what is bad, and excluding what is good in the Scotch and English precedents, you constitute a Joint Committee in Ireland, and that Joint Committee is provided with a standing majority to support the separate interests and class views of the landlords against the representative body that you are engaged in constituting. But there is one provision still more extraordinary in this Bill, touching on the business of the Joint Committee, as to which I can entertain no doubt as to the meaning of the words. Of course my construction as to the legal position may be wrong, because I have not the legal attainments of my right hon. Friend. What are the powers of this Joint Committee in respect to the overtures or proposals that it receives from the County Councils? Are they powers of simple assent or dissent? No, Sir. They may not merely assent or dissent; they may assent in whole or in part, and they may assent absolutely or conditionally. That is to say, the County Council may prepare provisional bye-laws or plans for the government of county affairs.

MR. JACKSON: Not bye-laws.

MR. W. E. GLADSTONE: That is merely a question of name; call them what you will. What do you call them? Give me the right name. The plans or proposals—call them what you like—go from the County Council to the Joint Committee for their approval. What are the Joint Committee to do? Not merely to assent or dis-

sent, but to amend them as they please, to cut out what they please, to put in what they please. They may alter the whole financial conditions, and when they have done it what happens? As I read the Bill, the plan or scheme so altered takes effect and becomes law. (Mr. JACKSON expressed dissent.) It is very well to shake the head, but the words you will find are these—

"That without the assent of the Joint Committee the plan of the County Council shall not take effect."

MR. JACKSON (reading):

"The capital expenditure of the County Council, if not assented to, shall be invalid."

MR. W. E. GLADSTONE: I beg pardon. Those are not the words at all; they are not near the words. The assent of the Joint Committee is necessary in the sense that the proposals shall be invalid without it. But if they are invalid without it, I presume they are valid with it. Is not that so? They are valid when they have got that assent, and what is that assent? It is not an assent simply affirming the plan or simply rejecting it. It is an assent which may alter the plan, which may take one part of the plan and throw aside another, which may insert in the plan what conditions the Joint Committee please, and then, forsooth, the plan becomes valid. And this is the splendid and munificent gift of a liberal, popular, and local institution which is to give the Irish people control over their own affairs. Then it is said there ought to be protection for the minorities in Ireland. The Attorney General has read some words from a speech of mine in 1886. I adhere to those words, but their whole relevancy depends upon the provisions in reference to which they are spoken. What is the meaning of a Government when they say that minorities ought to be protected? The meaning of the Government is that minorities ought to be protected by having the majorities delivered into their hands. By providing for that minority you set up a standing majority in behalf of that minority to put down the majority, to whom you profess to be giving this *emancipating* Bill. That is not what we mean by protecting the minority. Then it is said it is necessary to pro-

*Mr. W. E. Gladstone*

tect the large cess payers. If you want to protect the large cess payers, then why do you not say so? Are they not the grazing farmers? What common interests have they with the landlords? Though we have no such provision in this country, if you think there is a necessity to protect the large cess payers, protect them, protect them by putting power in their hands, and not by enabling the Sheriff of the county to nominate a group of landlords who are to look after their own interests and the interests of their own class, under the pretence of being the representatives of the large cess payers. The hon. Gentleman who has just spoken must have felt that there was a vital flaw in his argument when he referred to the great cess payers. It might, perhaps, be equitable to make a special provision on their behalf, but this is not that provision. This is not a provision for large tenants, but for landlords, and the position of the landlords is just as distinct from that of the large tenants as their traditions, their class, are distinct from the case of the smaller tenants. Then, Sir, the most plausible argument, I think, that has been made on this part of the Bill is that the control of the Joint Committee only applies to new expenditure. Well, Sir, what I am afraid is that in Ireland almost the only expenditure that we care about is new expenditure. The essence of the Irish complaint is that the legitimate wants of the country have been systematically neglected. Grand Juries, and if that is so, it is vital to a good plan of Local Government that popular influence should have fair scope, even in regard to new expenditure. No; you establish a standing majority of landlords against the whole popular influence. You have no such provision in England. In England the whole of the property of the landlord is dealt with by the County Councils, freely, without limitation. You introduce not only limitation, but a nullifying limitation in Ireland, and then you say you are giving Ireland the same institutions as to England, subject to necessary modifications in detail. It is not difficult to make intelligible the nature of my general objections to the Bill, and I shall spare the House further



discussion of details, though I must confess I am very much tempted to enter upon one of those particulars, namely, that of compensation for malicious injuries. It was a singularly infelicitous reference by the right hon. Gentleman to a very distinguished man—he meant Lord Melbourne—when he said that the quotation was the remark of a serious statesman. Lord Melbourne was a man of very great weight, and, in my opinion, in some important and vital respects, was a model of what a Prime Minister ought to be. But, considered as a practical reformer, the right hon. Gentleman ought to know Lord Melbourne had been educated under another system, and had grown up and acquired the habits of his mind before there had found its way into representative institutions any fit sense at all of the needs, wishes, or rights of the people of the country. Considered from that point of view, Lord Melbourne was one of the worst instances the right hon. Gentleman could have quoted. He said Lord Melbourne made use of that unhappy expression in regard to one of the greatest measures of the century, in which the interests of humanity and justice were more than almost ever before concerned, and the right hon. Gentleman quotes that as his reason and authority for leaving alone the present established arbitrary provision for compensation for malicious injuries which has been, in my opinion, most grossly misapplied. Well, Sir, this is my complaint. This Bill purports to be the redemption of a pledge for giving to Ireland local institutions substantially equivalent to those of England and Scotland. Professing to redeem that pledge, it has a number of points in which there is an apparent or avowed reference to English and Scotch precedents. I think I have shown in each of those cases which I have quoted, and they are all vital cases, that what is good in the precedent is left out, and what is bad in the precedent is maintained, aggravated, and misapplied. And this refuse of legislation is a great boon, to signify the generosity of Parliament, its adequate sense of Irish wants, and its disposition to outbid Nationalism and Home Rule by professing to give Ireland something

more acceptable and beneficial! With regard to the use made of these precedents the Government might as well do this. A man who is to give an entertainment might send round to every house in the neighbourhood and ask for the bones, the waste, the refuse, and the washings, and put them altogether and serve them up to his guests as the banquet on which they were to feed. That is a jest in this country, but according to this Bill it is no jest in Ireland. It is the reality of the case that is before us. What I feel is that this Bill has conferred on the Liberal Party in this country one obligation—a great obligation—it tends to clear the issue. It gives the people the power of measuring and determining exactly what was the value of the great and splendid promises of 1887. If they are misled with evidence like this before them, it is their own fault; but they will not be misled. They have arrived, and have shown that they have arrived, at a tolerably fair estimate of these proceedings, and if anything is needed to complete the process this Bill undoubtedly will supply it. What I find, Sir, is that this measure in all its provisions is everywhere marked from one end to the other with the stamp of inequalities—inequalities adverse to Ireland, whether it is a large question or a small one, an old question or a new one. Go back with me to the period of the Union and to the arguments then used. The opponents of the Union entreated the ruling party not to do away with the ancient historical institutions of Ireland, not to sacrifice its national life, but to give some scope to the action of freedom within the limits of the country; and what was the answer made? The answer made by the more candid supporters of the Union was: It is true you are losing much, you are sacrificing your Parliament; you are surrendering your traditions; you are losing much of that which you cherish in your heart's core; but look at the enormous advantage that you are going to attain. You are going to attain a position in which you will have, and have for ever, and have irrevocably, under the seal and stamp of the greatest and the most upright country in the world, absolute equality of laws with Great Britain.

It entered into the famous quotation of Mr. Pitt—

*"Paribus se legibus ambæ*

*Invictæ gentes æterna in foedera mittant."*

The equality of laws was the soul and essence of the speech of Mr. Pitt. It was the one, and as he thought the only, adequate compensation that he tendered to Ireland for the sacrifices she was called upon to make. Where is that equality of laws now? How is it represented by the present Bill? Are we to say that Ireland is wrong in rejecting this Bill? No, Sir, the stamp of inequality for the people is the brand of degradation, and if Ireland were capable of accepting as a redemption of pledges made to her a measure bearing that stamp, she would be unworthy of the high hopes and aspirations she so long has cherished; she would be unworthy of the great men who have led her in times of adversity, and she would be unworthy of the happier and better destiny which, as we trust, believe, and, so far as the future is open to us, are convinced and know, she is about to accomplish.

THE FIRST LORD OF THE TREASURY (Mr. A. J. BALFOUR, Manchester, E.): Mr. Speaker, the right hon. Gentleman who has just sat down excels those who have spoken on the same side of this question in this Debate in authority, in vigour, and in eloquence, but he excels them also in one other peculiarity, which is, that he has thought fit to drag into a controversy that should by right have been confined to the discussion of a particular measure of Local Government for Ireland, considerations wholly alien to that measure. Sir, the right hon. Gentleman began his speech by offering a challenge, in form, to the Members of the Government by asking them whether they did or did not agree with Lord Salisbury in certain observations the Prime Minister made in a recent speech in regard to Ulster. The right hon. Gentleman himself was pleased to denounce those observations; he described them as incitements to rebellion, and as observations, not only that no Member of the Crown should give utterance to, but as unworthy even of a law-abiding citizen. I have a good deal to say about the Bill, and shall

not long detain the House on this point, but I will briefly respond to the challenge the right hon. Gentleman has thrown down. I have sent for the extract of the speech of the Prime Minister to which reference has been made. I find that Lord Salisbury advanced three propositions. The first proposition was that it would be a gross act of public immorality to place Ulster under the heel of the rest of Ireland. With that proposition I beg to associate myself in the fullest manner. The second proposition advanced by Lord Salisbury was that if an attempt was made to put Ulster under the heel of the rest of Ireland, Ulster might not improbably resist by force. Sir, that is a question of what is likely to occur. Lord Salisbury thought it likely to occur; I think it likely to occur. But he offered it, and I offer it, merely as our own forecast of what might probably happen. The third proposition of Lord Salisbury was that if Ulster did resist, and that if an attempt was made to put down the resistance of Ulster by the British standing Army, then, in Lord Salisbury's own words, "an outrage would be perpetrated which would rend society in two." With that proposition also I associate myself. I note that right hon. Gentlemen opposite, who conceive that they are shortly to be sent back to power for the purpose of passing a Home Rule Bill which would put Ulster under the heel of the rest of Ireland, contemplate as a probability that has to be faced that Ulster will have to be coerced by the British Army. It is no abstract or academic question in their minds. It is a question of practical politics. It is a question of what will probably occur, and I note that in the opinion of right hon. Gentlemen the result will—

MR. W. E. GLADSTONE: The right hon. Gentleman says that that is my opinion. I have not said one syllable to that effect. I deny it. The words that I used were that I believed the very few foolish people whom Lord Salisbury might act upon would not resort to force.

MR. A. J. BALFOUR: If the right hon. Gentleman was of opinion that under no circumstances would the British Army be required to put down

*Mr. W. E. Gladstone*

Ulster, I cannot conceive why he got into such a fury of righteous indignation on a purely abstract question. It is easy enough to see through the protestations of right hon. Gentlemen opposite the uneasiness which possesses their souls. They know well enough that this question of Ulster cannot be lightly set aside, and their vehement expression of indignation is merely the external sign of that interior disquietude which naturally assails them whenever they contemplate face to face the problem with which the Prime Minister was dealing in the speech to which reference has been made. I pass from this question—which I frankly admit appears to me, if connected at all, to be connected only by the remotest links with the Local Government Bill—to the criticism which the right hon. Gentleman was pleased to pass upon that Bill. Now his first attack upon us—and, in fact, the special attack of all those who have spoken against the Bill—was this, that we have not carried out the pledges that we gave with regard to Local Government in Ireland. I entirely deny that statement. I maintain that this Bill fully carries out every pledge that has ever been given on the subject. The right hon. Gentleman quoted—and quoted perfectly accurately—various utterances which had for their object to show that when we dealt with the question of Local Government in Ireland we should deal with it on the same general principles which had been adopted in England and in Scotland; but I say that we never—that no Minister that I ever heard of pretended for a moment that the Bill to be applied to Ireland should be identical with either the Bill applied to England or to Scotland. Identical with both it could not be. But surely every statement upon a broad question of that kind must be qualified by the view that the Bill must be suited to the particular circumstances of the people with whom it has to deal; and you cannot transfer bodily from one condition of things to a wholly different condition of things a long and elaborate statute. I have already touched on this policy of the Government more than once since I have been Chief Secretary for Ireland, and I believe that on every single

occasion on which I had to deal with it, I foreshadowed the fact of the difference that there must be between the two Bills, which undoubtedly arises from the condition of Irish society when compared with the condition of society in England and Scotland. Perhaps the House will pardon me, and I may be permitted to read from a speech which I made on 5th June, 1889, at Portsmouth. I then said:

“ I am in favour of extending Local Government to Ireland. I hope to bring in a Bill to extend Local Government to Ireland; and I say you must follow with regard to Ireland the same course of action as must be followed when you are dealing with other countries. You must fit your Local Government to the needs and necessities of the country with which you are dealing.”

My noble Friend the Member for Paddington (Lord R. Churchill) has been quoted over and over again in this Debate as having announced that Ireland was to be dealt with on the principles of similarity and simultaneity. He did announce that, and he announced it with the authority of the Cabinet, of which I was not then a Member.

MR. TIMOTHY HEALY: Equality?

MR. A. J. BALFOUR: Yes, equality. But my noble Friend could not have intended to represent by that that we were to be tied down to the dead level of a uniform enactment when dealing with a condition of things so absolutely different in the two countries. I believe I have listened to every speech, or almost every speech, delivered in the course of this Debate against the Bill; and upon my word I do not believe a single statement was made by any speaker, a single hint was given by any controversialist, that the condition of Connaught and of Munster was not as the condition of Midlothian or Kent. I do not believe that one single word was dropped from any hon. Gentlemen opposite to show that Ireland has been rent in twain by controversies, the bitterness of which cannot be comprehended in this country, and that one of the favourite weapons of the parties on one side of the controversies was especially directed against the social and material destruction of a class.

MR. TIMOTHY HEALY: Which side? Your side?

MR. A. J. BALFOUR: The hon. and learned Gentleman who has been good enough to interrupt said yesterday in his speech, "We are as good as you are, and we are as bad as you are." I do not in the least desire to enter upon a minute examination as to on which side the scale of virtue falls; and if the moral merits of Ireland be compared with the moral merits of England, I do not say Ireland is worse. What I do say is that Ireland is different; and I do not see how that proposition can be denied. We all live a Party life. Party feeling is the breath of our nostrils. We are all Party politicians. We belong to Party. We are all accustomed to Party controversies; and that which is a mild attack in this country is a virulent and fatal disease in Ireland. It attacks the Irish constitution with a violence of which you have no conception. Even friends in Ireland, when they do fall out, use language to each other which would quite stagger the more steady-going politicians on this side of the Channel; and when that occurs with people who yesterday were friends, and who will be friends tomorrow, how much more must it occur in these perennial, or, at all events, long-standing differences which have divided creeds, races, and strata of society in that country? The right hon. Gentleman did not hear at question time the question asked by the hon. Member for West Belfast (Mr. Sexton) dealing with a case, of the merits of which I know nothing, but a case in which the hon. Member for West Belfast stated that gross tyranny and outrage were practised by Protestants in Belfast against a Catholic boy in that town.

MR. SEXTON: Produced by your speech.

MR. A. J. BALFOUR: I have made no speech which would in any way justify anything of the sort, but even if it were true, would not that prove my case? I have never had it attributed to me that my oratory had such an effect in any other part of the United Kingdom; and if it has produced a result of that kind it must have fallen on a curiously

prepared soil. I say if you listen to Irish gentlemen sitting on that side of the House when they explain the kind of outrages to which Catholics are subjected in Belfast, just as when you listen to Irish gentlemen sitting on this side of the House when they are explaining the outrages to which the small minority in the South and West are subjected, you will then have brought practically home to you that there are divisions in Ireland, and modes of political warfare unknown in this country, capable of the grossest abuse in Ireland; and if a statesman ignored their existence in any Bill of this kind he would show himself utterly incapable of government. It is not merely that Irish society is divided in the way I have described which required us to make special provisions in our Bill, but it is that in large parts of Ireland the economic condition of the people is wholly different from what it is in other parts of the United Kingdom. I am glad to say, except perhaps in a corner of the North West of Scotland, you get nothing at all resembling the condition of things which meets you face to face in the South and West of Ireland. There you have an enormous number of small occupiers, small cottiers, paying annual rates of threepence, fourpence, sixpence, or tenpence, who have unfortunately had from time to time to be aided by the establishment of relief works out of public funds, and who are therefore accustomed to look for employment on such works as roads and bridges for obtaining the means of satisfying their needs. These men, if it was not for the provision of the Joint Committee, which I shall refer to more particularly presently, would be absolutely able themselves to vote for the relief works on which they were going to be employed. The minimum wages paid on the relief works would be ten shillings a week. The head of a family would thus earn in one week seven times, fourteen times, twenty times that which he would pay for the whole year in county cess. And then you say these people pay the rates, and surely you must trust them. I pass from these general considerations, which never seem to have occurred to the minds of the right hon. Gentleman or any of the other critics of the Bill.



But before considering the particular provisions by which we have endeavoured to meet the exceptional state of society in Ireland, let me say one word about the criticisms of the right hon. Gentleman on the subject of the boundaries. He began his attack on the Bill by saying in substance, "You have so arranged matters that the Lord Lieutenant will be able to jerrymander." He did not use so vulgar a word—"to manipulate for Party purposes the districts, and arrange the areas within your counties—proceedings which you never attempted with regard to England or to Scotland." What we have actually done is this. As was stated by my right hon. Friend yesterday when we were framing the Bill, we instructed the Registrar General, the head of the Ordnance Survey in Ireland, and the head of the Irish Local Government Board, to draw out a map of Ireland divided into districts, mainly with these two directions—that the area should be convenient in size, and that under no circumstances was the boundary of a barony to be cut; and the scheme so prepared will be submitted to Members at a later stage of the Bill. If—which I do not in the least contemplate—the arrangement is objected to, of course some other plan can easily be devised by a Commission or otherwise. But there is no use in settling this until we have settled what scheme of representation we should have. We have framed the Bill on the plan of the representation of minorities by the cumulative vote. That requires Ireland to be divided into areas returning fifteen members each, about the size of a School Board. If you are going to have the single Member constituencies which the hon. Member for West Belfast desires, you must have a different system; and it is premature (though we have our plan ready, and will submit it to the House later on before passing the Bill), to propose it as an effective scheme until we see how the clause establishing minority representation has been dealt with in Committee. I pass, however, from that small point to the more important issues raised by the right hon. Gentleman, and I will take them in the order in which he dealt with them. The first clause which he dealt with was that empowering two

Judges to dissolve a County Council; and here the right hon. Gentleman applied a method of criticism which he applied in turn to all those special purposes, in which he says, "You found an English precedent and you have taken what was bad in it and have left what is good." This particular English precedent which he seems to have conceived as illustrative of his proposition is the English School Board. He said—"It is true the Education Board has power to dissolve a School Board; but then it has to elect another. You have left that precedent behind in dealing with Ireland, and in Ireland practically no second election is required." The right hon. Gentleman has been ill-coached in this matter. He has made two mistakes. He has made a mistake, as I understand it, about the Irish question, and he has made another mistake about the English precedent. It is not accurate to say that the locality can be permanently disfranchised by two Judges.

MR. W. E. GLADSTONE: I do not say permanently.

MR. A. J. BALFOUR: Well, the force of the right hon. Gentleman's arguments seemed to carry that conclusion, but I am far from desiring to attribute to him words which he did not use. I would, however, remind the House that under the Bill the maximum time that a County Council which is guilty of corruption, malversation, and oppression can be dissolved for is three years. What is the case with an English School Board? The right hon. Gentleman appears to be under the impression that as soon as an English School Board is dissolved a new election is to take place. That is not the fact. It is precisely the reverse of the facts, and so far from it being necessary to have a re-election at once there is absolutely no date stated in the Act of Parliament at which there need be an election at all, and it is actually in the power of a Department—a creature of the Party opposite—in England to dissolve a School Board, say in London, representing, by an absolutely democratic vote, five millions of population—it is actually in the power of a Parliamentary Education Department to dissolve that Board, and there is no power of compelling them to have a

new election at all. And this is the precedent that entitles the right hon. Gentleman, after a critical examination of the Bill and of the precedents from which the Bill may have been derived—that entitles him, in his opinion, to say that we have taken from the English precedents all that was against the people and left all that was in favour of the people. But I should like, on this point, to ask the right hon. Gentleman another question. He turned to the right hon. Gentleman the Member for West Birmingham (Mr. J. Chamberlain), and to his hon. Friend the Member for Bordesley (Mr. Jesse Collings), and said: “Would you serve upon a Board which could be dissolved in this kind of way? Would your self-respect permit you in any circumstances to put yourself in a position in which you might be brought up before two Judges, and would you belong to a body which might suffer dissolution at their hands.” It appears to me that no man’s self-respect hitherto in England has been thought to be interfered with by his serving on a School Board. And why are Irishmen supposed to be gifted with so much sensitiveness of character that what Englishmen can stand at the hands of a Department they cannot stand at the hands of two Judges of the High Court? Then, Sir, the right hon. Gentleman attacked the particular machinery by which this dissolution is to be effected. He told us that these Judges are not competent, and that even if they were competent, we have given them a law to interpret so vague and so general that nobody can interpret it. I am not wedded to that tribunal, though I believe it to be the best tribunal. But to say that the Judges are not specially competent to deal with matters of fact in these cases appears to me to ignore the whole value of judicial training.

MR. W. E. GLADSTONE: What about oppression?

MR. A. J. BALFOUR: The right hon. Gentleman interjects the word “oppression.” He seems to think—I do not know who has given him the information, probably the same person who gave him the information about the School Boards—that the word “oppression” has never been the subject of legal disquisition or definition before.

He is wholly misinformed on that matter. I can assure him that “oppression” has been the subject—as my right hon. and learned Friend the Attorney General for Ireland did state the other day—has been the subject of legal discussion and definition; and it appears, so far as I understand the matter, to be precisely the sort of oppression that was contemplated by the writers of those legal text-books that we have to think of now. It is perfectly true that, in society as it has been constituted up to this time, oppression was most likely to occur—if it occurred at all—at the hands of magistrates and other non-elected persons endowed with great power. You have substituted for them really elected bodies and government by majorities. Henceforth, oppression, if it occurs, will be oppression by those majorities. And why I am not to apply to them the same legal acumen which has not found it impossible to deal with the question of oppression, not by elected bodies but by magistrates and other high authorities, I do not know.

MR. TIMOTHY HEALY: Where are the words taken from?

MR. A. J. BALFOUR: I am correct in my statement with regard to the legal text-books, but the hon. Member must not press me too far with these legal points. I think he will find that I have not in any way misled the House. Then, Sir, the right hon. Gentleman went on to say “these vague powers you hand over are capable of indefinite extension, and may be malignantly used.” There were other strong epithets which escaped me, but “malignantly” I preserved. I confess I am wholly unable to place myself in the frame of mind of the gentleman who thinks it natural and probable to expect that a Judge will use the powers entrusted to him with malignity, and who thinks it incredible that a majority of an Irish County Council should ever do the same thing. The only people who can err in Ireland are the Judges of the High Court; the only people who may be attacked without hurting the susceptibilities of the Irish Representatives are the Irish Judges. I confess it seems to me the plan we have adopted—by which, instead of giving the powers

*Mr. A. J. Balfour*

of dissolution to the Local Government Board, as is given in the case of Board of Guardians, or to the Education Department, as is given in the case of School Boards in England, we propose to hand them over to two Judges—who, if they do not fulfil all the qualifications which hon. Gentlemen would like to see in them, are, at all events, the most impartial authority which, even they will admit, exists in Ireland—it seems to me this plan is far better and far safer, and far more in the interests of impartial administration. The special justification of this clause is what I have before adverted to. It is the undoubted fact that one Party in Ireland, and largely represented in this House, have steadily announced their intention of waging social warfare against a class, as a means of obtaining their political objects. They do not deny that. They do not deny that they have professed that doctrine; they will not deny that they have done their best to carry it out, and it is lunacy to ignore the intention which they have expressed, and to give over the class which they publicly announce their intention of ruining absolutely unprotected. I pass to the Joint Committee. Here the right hon. Gentleman applied the same old argument that he had already used with regard to the Judges and the School Board. He says—"You have taken the English and the Scotch precedent; you have magnified in it all that is obnoxious, and you have removed all that is beneficial." I deny that. I observe the right hon. Gentleman carefully abstained from touching on the case of the Scotch parallel, but he dealt at great length with the case of the English parallel.

MR. W. E. GLADSTONE: I mentioned fully the Scotch parallel.

MR. A. J. BALFOUR: The right hon. Gentleman says he mentioned fully the Scotch parallel. If it was on the Scotch parallel he based his facts, he must be as ignorant of the Scotch Act as he is of the Education Act. The parallel between our clause and the Scotch clause is absolutely complete in every substantial particular, with the single exception that the Sheriff of the county is taken as one of the *ex-officio* members, while in Scotland there is a judicial officer.

MR. TIMOTHY HEALY: Who pays the rates?

MR. A. J. BALFOUR: I will come to the payment of rates presently. With regard to the Sheriff, I have really nothing to add to what I stated on the introduction of the Bill. I then, in the most open manner, told the House that this was a part of the provision I was not fully content with; and I said that if another and a better plan could be suggested I should be glad. How has the right hon. Gentleman replied to that? The right hon. Gentleman says—

"It is not our business to help you in this Bill. It is your business to make a good Bill of it."

Then what is the use of the Committee stage in this House? What is the use of all those offers of assistance which the right hon. Gentleman has given us when he likes a Bill, and which he refuses us when there seems to be some political reason for rejecting a Bill? Was there ever such a reason given as that for rejecting a Bill on the Second Reading—that we have not been able to find in the organisation of the Irish County Councils any person qualified to take the place of the Sheriff? I think it is a blot on the clause, but that surely is no reason for departing from the whole practice of Parliament, and rejecting the Second Reading of the Bill. I think it will require something much stronger than a mere colourable excuse to lead the House to reject the Bill. It is perfectly true, as has been admitted, that in Scotland half the rates are paid by the landlord, and that in Ireland the landlord does not pay the cess. But the right hon. Gentleman glided very lightly over what was said by the hon. Member for Tyrone, who referred to the case of nine landlords—was it not?

MR. T. W. RUSSELL: Yes, nine landlords.

MR. A. J. BALFOUR: Who are in occupation, and who pay it.

MR. W. E. GLADSTONE: Yes, to that extent.

MR. A. J. BALFOUR: There are many cases where the landlords as occupiers pay the largest—an enormous portion—of the whole county cess. But we base our contention on something

much more fundamental than the fact that here and there the landlord is the biggest cesspayer; and here I may express my regret that the right hon. Gentleman the Member for Derby has left the House. He is fond of dilating upon this topic. I do not propose to argue the point with the right hon. Gentleman, for the facts of the case are simple enough. If you impose a rate in an agricultural county the occupier will pay that rate until the terms of his occupancy are revised, and he will not have the same permanent interest that the landlord has. In England it is different, because, as the House knows, a tenancy will go on for generations without any modification of the rent. We all know what happens. The tenant continues to pay. In Ireland the rents are revisable every fifteen years, and not only is it the practice of the Fair Rent Courts to take account of the amount of the rate, but, by a decision of the Queen's Bench, they are compelled to take it into account, so that every tenant who at the end of his judicial term goes into the Court may have the whole of the rate thrown upon the owner. No human being will deny that it is fair to give the persons who bear the permanent charges some voice in the determining of what those charges shall be. Is it not possible that, where there is an enormous mass of small ratepayers who may desire public works not generally required by the wants of the community, an attempt might be made to throw very heavy burdens on the landlords which they would be unable to bear? That is not a new argument. It has been advanced by every speaker on this side of the House, but no answer has been attempted on the other side. It was used by the right hon. Gentleman by my side, but the right hon. Gentleman the Member for Midlothian never touched it. It never occurred to him that such an argument existed. I believe that the case of the Joint Committee is absolutely unassailable, and that the same considerations which induced the House to establish it in Scotland will justify its establishment in Ireland. I have detained the House at great length, but I think I have gone *through all the objections which have been raised against the Bill.* I want

to know what they come to after all? The Member for West Leeds, who spoke on Thursday night, examined this Bill with a microscopic eye, and he found that every clause bears trace of the desire of the First Lord of the Treasury or of the Attorney General to limit the powers of the County Councils, and to heap insults on the Irish people. As a matter of fact, the greater part of the Bill is identical with the English and the Scotch Acts. Certainly, nine out of every ten clauses, sentence by sentence, will be found to be taken verbatim from the Acts already passed for England and Scotland. It is also a fact that this Bill confers powers on Ireland which never have been given to England and Scotland, but which I hope will be given. It gives absolute control over every county officer but two, and if it were worth while I would explain why they are excepted. Thus most of the officers and the whole of the work done by the Grand Juries—far more of the work than was transferred by the English and Scotch Acts—are transferred bodily to the Irish County Councils. Why, then, has this Bill been opposed by hon. Gentlemen opposite? Are we to place any faith in the thin and futile pretence that this Bill is an insult to the Irish people? Are we to suppose that practical men will reject this measure, will refuse to give it further consideration, on this flimsy pretext founded on two or three clauses of the Bill? A much better reason must be found, and I think a much better reason exists. The vacant laughter and inarticulate indignation with which this measure was met at its first introduction have now been slowly translated into something of the nature of argument, and to what does the argument amount? It amounts to this—that here and there, in a Bill of seventy-three clauses, there may be found provisions which hon. Gentlemen think might be modified with advantage. My belief is that it is not because they think the Bill is an insult that they reject it. It is because they believe that the Bill will not serve the purpose which they hope to effect. They have made the most explicit statements, the most frank statements—because frankness is one of their chief merits—as to the way in which they intend



to treat a Local Government Bill. They are not going to treat it as a Bill for establishing Local Government. They are going to treat it as a ladder by which to climb to Home Rule, and possibly through Home Rule to separation. If they have been frank as to the object they desire to attain, they have been equally frank as to the methods they desire to adopt. They have never made it a secret for the last ten years that the methods by which they intend to wring from reluctant Radicals the granting of Home Rule were by disorder and the oppression of a particular class in Ireland which they have the power to afflict—the ruin of the landlords, the expulsion of the landlords, the destruction of the landlords—these are the familiar topics of their eloquence when in Ireland—these are the avowed methods by which they hope to succeed. The reason why they have changed their views on that subject and are now anxious to reject this Bill on the Second Reading and to prevent its discussion in Committee is that they clearly see, whatever else it will do, it will do nothing for them in the direction of Home Rule. The difference between us on this side of the House and those who are on the other side of the House is two-fold. We do not desire their objects, and they do not desire our objects. Their object is Home Rule; our object is Local Government. We sincerely believe that Local Government may be made a great boon and a great blessing to the population which knows how to use it. We desire earnestly and sincerely to confer this boon upon Ireland. They are perfectly indifferent whether it is conferred or not—they do not value it because it helps to Local Government and confers a very great boon on the population. They do not value it a pin for these reasons, and they reject it without scruple. They value it, or they did value it, before they saw the provisions of the Bill. They did not set the least store on what the Government were going to do for Local Government, but they thought it might be made an instrument of torture for further extracting Home Rule. The right hon. Gentleman the Member for Midlothian said that one benefit, at all events, that this Bill con-

ferred upon his Party was that it cleared the issue. It has cleared the issue. As far as in us lies, at all events we have made it clear in the last six years what the whole policy is of which this is but a fragment, though an important fragment. We have endeavoured in the clearest manner to show how we thought the true interests of the Irish people were to be attained, and how all the benefits, and more than all the benefits, we have been able to confer upon England or Scotland could be conferred by the Imperial Parliament upon Ireland. So far we have endeavoured to clear the issues. So far we have shown of what our broad policy, of which this is an element, really consists. It rests with the right hon. Gentleman to clear the issues on his side. The country knows by acts, by deeds, by legislation which have been accomplished, by legislation which has been most sincerely and earnestly attempted, what it is we desire to do. What the right hon. Gentleman desires to do no human being knows. And if we have done our part, as we have done, to clear the issues, all we can ask him is to do his part; to lay before the electorate of the country in the same plain, unmistakeable outline, the policy which he desires to see adopted.

MR. W. E. GLADSTONE: I rise to explain. The right hon. Gentleman has made a great point against me of being totally ignorant of the Education Act; and, in his own elegant expression, he said I had been badly "coached" in it. The question is, who has been badly coached in the Education Act? I quoted Section 66 of the Education Act of 1870, and I believe that section is still in force. I suspect that the right hon. Gentleman has been deluded by some too rapid informant who has examined some other enactment which did not deal with the School Board at all. The enactments about the School Board in this 66th section are precisely as I quoted, and the House will judge as to the correctness of the right hon. Gentleman's statement when I read, to save the time of the House, only the middle part of the section, which I think is sufficient—

"And after the date fixed by any such order the then members of the Board shall be deemed to have vacated their seats, and a new election."

shall be held in the same manner, and the Education Department shall take the same proceedings for the purposes of such election as if it were the first election."

MR. A. J. BALFOUR (reading) :

"Where the Education Department are, after such inquiry as they think sufficient, satisfied that a School Board is in default as mentioned in this Act, they may by order declare such Board to be in default, and by the same or any other order appoint any persons, not less than five or more than fifteen, to be members of such School Board, and may from time to time remove any member so appointed. . . . After the date of the order of appointment the persons (if any) who were previously members of the School Board shall be deemed to have vacated their office as if they were dead. . . . The members appointed by the Education Department shall hold office during the pleasure of the Education Department."

MR. W. E. GLADSTONE: The right hon. Gentleman has not told me what he has quoted.

MR. A. J. BALFOUR: The 63rd section.

MR. GLADSTONE: My statement is perfectly accurate.

SIR W. HARCOURT: The clause of the Bill—"Order!" I have a perfect right to speak.

MR. SPEAKER: Order, order! The right hon. Gentleman was not called upon by me. Before the right hon. Gentleman the Member for Midlothian rose to make a personal explanation I had called upon the hon. Member for East Mayo.

MR. DILLON (Mayo, E.): In the speech of the right hon. Gentleman we have had a most instructive example of the bias which affects the mind of his Party in dealing with the Irish people. Right hon. Gentlemen have been appealed to as to whether there might not be brought about so great a crisis as to rend society in twain, and to render it necessary to employ coercion and the Forces of the Crown against the people of Ulster. For my part, I have not the slightest fear that it will become necessary to employ either coercion or the Forces of the Crown against the people of Ulster, except in the streets of Belfast, on the 1st July next. What was the great horror which the right hon. Gentleman conjured up? He said that in his judgment, as well as in that of his illustrious relative, it was perfectly possible that the people of Ulster might resist by force the will of this Parliament. But are not

the people of Ulster as much bound to recognise the supremacy of the Imperial Parliament as we are, and if it be no crime for Ulster to deny the supremacy of this Parliament and this Crown, why are we denounced for a crime of which we have not been guilty? But there is this further consideration. The right hon. Gentleman, pursuing the path marked out for him by the Prime Minister, denounced in most unmeasured language the horror of placing the people of Ulster under the feet of their fellow-countrymen; but is there no compunction on that side of the House at the keeping of the whole population of Ireland under the heel of the small and corrupt minority in Ireland? When we are told with wild alarm of the consequences which might result if the minority of the people of Ireland were placed under the control of their own countrymen, we are prompted to ask why hon. Members see no illiberality, no wrong, in placing the vast majority of the people of a country under the heel, not of the people of Ulster, but of a corrupt and exceedingly small minority who grasp at that Government for no other reason than their own financial advancement. What there is to be afraid of is that on the 1st and 12th of July the streets of Belfast will be reddened with the blood of the people of Ulster and of Her Majesty's soldiers who, in spite of what is said in this House, will be obliged to turn out and shoot them down on those days as they have done before, in 1886. The Leader of the House went on to declare, with that audacity which is all his own, that the Government had redeemed every one of the pledges that had been given. I wonder if the right hon. Gentleman was present in the House in 1886, when in the course of a Debate on the Estimates—I think it was the Vote for the Board of Works in Ireland—the noble Lord the Member for South Paddington (Lord R. Churchill) interrupted me in the course of a speech and requested us to abbreviate the Debate, on the ground that before that day next year we should ourselves have the control over those matters in Ireland. We do not seem to be any nearer having that control than we were six years ago. In alluding to the social war which

Mr. W. E. Gladstone

had distracted Ireland for so many years, did not the cause enter into the mind of the right hon. Gentleman? Is it from the exercise of legal liberties that class has been divided against class, and that all those troubles have arisen? Is it not from that system of placing the majority under the heel of the minority? He points to the system of the Government against which we are struggling as a reason why this misgovernment should not be changed; but I say that if weight were to be given to arguments of that character, no reform could ever be carried out in Ireland. It is impossible to get rid of these social disturbances and symptoms of social disorder, until you remove the disease that gave birth to them. There is one more point in the speech of the right hon. Gentleman; he repeated an extraordinary statement which on a former occasion I challenged him to prove. He brought forward, as another reason for the difference between this Bill and the English Bill, the inferior economic condition of the Irish people. He made the statement that in the South and West of Ireland there is an enormous number of small occupiers paying annual county cess amounting to fourpence, fivepence, and sixpence only. Now, the county cess in Ireland varies from one shilling to two shillings in the pound, and so, even in cases where the rental is only £2, £3, or £4, the county cess amounts to half a crown and up to five or six shillings. While it is perfectly true that in some districts a large portion of the cess-payers would pay a very small sum—but something very different from what the right hon. Gentleman has mentioned; I should think it would always exceed two shillings—I may inform him that to these poor people a penny is more than £10 or £20 would be to him. The right hon. Gentleman endeavoured to give force to his argument in this way: He said the County Councils would be called upon by these poor people to start relief works, and that they would thereby be able to earn seven shillings a week by paying a few pence in cess. The fact is, it would be impossible to place any considerable proportion of people on relief works, because, if any attempt were made to

start relief works on a liberal scale, the small cesspayers would be the first to raise an outcry against it. Now, I should like to say a few words on the speech of the right hon. Gentleman the Member for West Birmingham (Mr. J. Chamberlain), who sought to give us a great deal of instruction on this subject. The right hon. Gentleman on this occasion laid aside his usual offensive and aggressive manner and adopted an entirely business tone. He told us he approached this subject with a large experience of municipal matters, and that he was, therefore, entitled to indicate the proper way in which to govern Irish counties. Well, I have not been Mayor of Birmingham, nor a Town Councillor, and therefore I would not for a moment enter into a controversy with the right hon. Gentleman as to the best way to conduct the affairs of that great Municipality; but I think it is a singular illustration of the frame of mind of men like the right hon. Gentleman that because he has had experience in conducting the municipal affairs of Birmingham he thinks he is entitled to lay down the law with regard to the way of governing Mayo and Kerry. Although I have not had experience of municipal affairs in England, I think I know something more as to what are the burning questions of the Irish rural districts than the right hon. Gentleman. One illustration that occurs to me in connection with his speech is this: He spoke of the Sanitary Acts, and he said that in his judgment one of the most important duties for Local Governing Bodies to perform is the administration of the Sanitary Law. I have no doubt that in great Municipalities like Birmingham, and Glasgow, and Manchester that is a burning and most important question. But in Mayo and Kerry, and similar districts, the administration of that law is not a burning question; and although good might be done, no doubt, in certain districts in this direction, it is absurd, and characteristic of the right hon. Gentleman, to put it in the forefront of a Bill like this. Take the case of the rural districts in Ireland. The only proper course to take in administering the Sanitary Laws there would be to knock down every single house

and re-build them. How can you administer the Sanitary Laws where there is only one room with a thatched roof? I should like the right hon. Gentleman to go and try to administer the Sanitary Laws in my constituency. If he did make that attempt I think he would come back a sadder and a wiser man. Well, Sir, there is a sadder aspect of the speech of the right hon. Gentleman than these smaller questions I have alluded to. He reached the last stage in the long record of his broken promises to the people of Ireland in the speech he delivered in this House yesterday. One would have supposed, to have listened to him yesterday, that his hands were free from pledges and promises. But what has been his record? He has pledged himself to the hilt to give a system of Local Government to Ireland only short of what was proposed by the right hon. Gentleman the Member for Midlothian (Mr. W. E. Gladstone). In 1885 he sketched out a scheme of the most advanced character, and published it with the full authority of his name. In 1886 he solemnly repeated again and again, as one of the leaders of the Liberal Unionists, that while he was not willing to go the whole length proposed by the right hon. Member for Midlothian, yet if the Home Rule Bill were rejected he would give a measure of Local Government far in advance of anything England was prepared for, and in speech after speech he declared he fully recognised the fact that the peculiar circumstances of Ireland demanded from this House a far wider and more extensive system of Local Government than anything the English people cared for. Not content with all these speeches he brought forward that well-known proposal, published in 1888, by which the proposed Council for each province of Ireland would have very nearly all the powers that would have been conferred on the Central Parliament by the Home Rule Bill. In spite of all these pledges and promises, the right hon. Gentleman was not ashamed to come down to this House yesterday and make a speech in support of a Bill which not only denies to Ireland all those wide privileges which he had promised to extend to it, but which,

furthermore, seeks to place the Irish people in a position of great inferiority to the people of England. Then we listened to a long story from the Chief Secretary for Ireland stating what legislation this Government have carried out for Ireland, and expressing his conviction that it had redeemed every single pledge given to the Irish people. Well, Mr. Speaker, it is difficult to place a limit on the audacity of Ministers in this respect, but how it is possible for the Chief Secretary to affirm that the Government have redeemed their pledges on this question of Local Government in the face of the events of the last six years, surpasses my comprehension. The Chief Secretary told us that Bills had been passed to make light railways and for land purchase in Ireland, and other admirable things. But that is not what the Government undertook to do for us in 1886. The pledge they gave to us was that they would introduce a Local Government Bill which should be a substitute for the Home Rule Bill. It does not matter whether the legislation passed by the right hon. Gentleman has been good or bad, the fact remains that the pledges given by the Government have been shamefully broken. Once more I must affirm our position. It is not true that we have opposed, obstructed, or sneered at any good measure proposed for Ireland. The policy I have always advocated, and shall continue to advocate so long as we cannot get and until we get full right to deal with our own affairs, is that we should take every bit of good legislation we can worry out of this Parliament. What we have done and what we shall continue to do—and experience has taught us it is the only way to get any good out of this House—is this, that when measures of a faulty and deficient character are brought before the House, then we criticise them and endeavour to amend them. I say and I maintain that the criticisms we have offered to measures introduced by the right hon. Gentleman's predecessors in office, every blot or weakness we have indicated, every amendment we have proposed has been justified by subsequent experience of the working of the measure in Ireland. It is untrue to say that we have sought to

*Mr. Dillon*



defeat measures which contained even the germ of good for the people of Ireland. We have done what we could, and sometimes with considerable effect, to criticise in the most strenuous way evils we have found, and we have exposed unsparingly all the weaknesses we have discovered in legislative proposals. I do not propose to go into details of this Bill: it is now too late to do so. Here I have in this pamphlet what may be called the "Bible," the sacred scripture of those who promote this Bill, and from this pamphlet hon. Members opposite draw their quotations. Here I find the boiled-down opinions of the ascendancy party in Ireland, and here I find set down by the Loyal and Patriotic Union the dangers of Local Government against which the Government are warned. First we are told that in the giving of contracts undue favour will be shown to the personal friends of members of the Councils. Here is a case if ever there was one of Satan reproving sin. What has been the past history of Local Government in Ireland? It is one mass of jobbery from beginning to end, under the appointments made by Grand Juries. Then it is alleged a danger will be that the County Councils will appoint incompetent men to offices under the Council. Could absurdity reach a higher point? Is it not perfectly notorious that, except in the case of County Surveyors, the competency of a man has been the last consideration in the appointments made by Grand Juries? Is it not notorious in the past history of Poor Law Boards and Grand Juries that the one thing which brings Magistrates from any distance—even from England—to attend a meeting is the scent of a job of any kind? Is it not grotesque to have such warnings now, knowing as we do that the past history of county administration is a record of the most scandalous and outrageous jobbery? The right hon. Gentleman (Mr. A. J. Balfour) quoted the cases of certain Poor Law Boards suppressed under a Liberal Government; but I repudiate the idea that the cases in these Poor Law Unions can be taken as fair samples of local popular administration in Ireland, because these suppressions arose for the most part

not from causes of corruption; they had their origin in the disturbed and distracted condition of the country. I affirm, without fear of contradiction, that in direct proportion to the increase of popular control over Local Boards has been the decline of corruption and jobbery. I might illustrate this by a reference to local administration in Dublin, contrasting the administration at the present day with the time when control was in the hands of the "loyal minority." But it would be idle for me to attempt to go into details with the impatience of the House for the impending Division. I object to this Bill because it is an imposture upon the people of this country; because I do not wish to see the Government going to the constituencies with a lie in their mouth. I do not wish to see them doing as they did the last time, when they carried the verdict of the country on a false and misleading issue—when they appealed to the electors to give them power to grant equal laws to Ireland and to govern without coercion, and when they were returned they broke all their pledges and destroyed our liberties. I object to the Bill because it is a gross falsification of the pledges given to the people of Ireland, pledges confirmed and endorsed by the leaders of the Unionist Party. I object to the Bill, because if it should pass into law it would be one more object lesson to the people of Ireland to put no trust in British faith. I object to the Bill because it is an illustration of the way in which when we ask for bread, you give us something worse than a stone; because, when we ask for some institution which would serve as an organ by which we could give expression to our national life as a nation, which, though small, is as distinct from your own as that of one nation can possibly be from that of another; when we ask for some institution to give expression to our national life, and to restore contentment to our distracted country, we are told by the right hon. Gentleman the Member for West Birmingham (Mr. J. Chamberlain) we may clear out the cesspools of some country villages. I object to the Bill, because it is an attempt to take advantage of the present dissensions and

distractions in our Party, to put the Irish people off with a miserable imposture, and because it will leave a legacy of evils to those who come after us.

Question put.

(6.45.) The House divided:—Ayes 339; Noes 247.—(Div. List, No. 139.)

Main Question put, and agreed to.

Bill read a second time, and committed for Thursday.

It being after Seven of the clock, Mr. SPEAKER suspended the Sitting till Nine of the clock.

## EVENING SITTING.

### MOTIONS.

#### CHURCH OF SCOTLAND (DISESTABLISHMENT AND DISENDOWMENT).

##### RESOLUTION.

\*(9.1.) DR. CAMERON (Glasgow, College): The Resolution I propose to bring before the House is to the following effect:—

“That, in the opinion of this House, the Church of Scotland ought to be Disestablished and Disendowed.”

To understand the Disestablishment question in Scotland it is necessary to appreciate the position which the Established Presbyterian Church bears to the Presbyterian religion in Scotland, a position entirely different to that of the Episcopalian Church towards that religion in England and Wales. In England the Episcopal Church—certainly it is the case in Wales—may embrace but a minority of the population; but in both cases the Church is co-extensive with, and practically embraces, the entire population professing the Episcopalian religion. In the case of the Episcopalian Establishment, assuming the postulate—which I do not, except for the sake of argument—that Episcopacy is the true faith, and that it is the duty of the nation to support the true faith out of the national funds, a case can be made out to support that Establishment. But in Scotland the case is wholly different. The Scottish Established Presbyterian

Church is not only confessedly the Church of a minority of the population, but it is also only one of three great Presbyterian Churches. Many years ago the Free and the United Presbyterian Churches seceded from the Establishment, in consequence of the interference of State restrictions with what they considered, and what the whole Church of Scotland pronounced, to be vital points of faith. For conscience sake they left the Establishment, relinquishing its privileges and endowments, and at unparalleled sacrifices they built up alongside the Establishment a magnificent ecclesiastical organisation which is doing precisely the same work as the Established Church—doing that work as well and as efficiently, and without State support. Now, since 1843, the date of its foundation, the Free Church has expended twenty-one and a half millions sterling in founding and maintaining its churches, and the United Presbyterian Church since 1847 has expended twelve millions on similar objects. These sums, making together thirty-three millions sterling, make twice as much as the entire revenue of the Established Church from the public funds, local contributions, Church rates, and teinds during that period. These non-Established Churches embrace a portion of the Presbyterian population of Scotland, which, even on the admission of the Established Church, is not very considerably less than the number within the Establishment; and, on our contention, based on statistics of church attendances and contributions to religious work, these non-Established Churches embrace a larger portion of the Presbyterian part of the population than the Establishment does. Their revenues are ample; their zeal and activity are unquestioned. During the past eighteen or twenty years these non-Established Churches have seen the Establishment availing itself of its privileges and endowments to sap their foundations and lure away their flocks. Year after year the Free Church and the United Presbyterians have been forced to denounce the continuance of the Establishment as unjust, inexpedient, a standing menace to the voluntary churches, an offence to the consciences of a large number of Presbyterians,

*Mr. Dillon*

and as detrimental to the cause of religious peace and unity in Scotland. The question in Scotland is not only whether it is right that a single denomination should monopolise State support, but whether the churches which have grown up outside the Establishment, professing the same faith with it, should be left to work out their destiny without State interference, or whether the resources and patronage of the State should continue to be enjoyed by a single branch of the Presbyterian community for the discomfiture and disintegration of the other two branches. Of course, the question in Scotland, as elsewhere, concerns not merely Presbyterians; it is a question of religious equality, in which every citizen is concerned. Independently of the large body of United Presbyterians who hold that all connection between Church and State is wrong and inexpedient, there are in Scotland twenty-five or thirty per cent. of the population outside Presbyterian bodies, and on what grounds and on what principle of justice are these taxed for the support of a creed the teachings of which they disapprove? We hold that the revenues arising from teinds are just as much national property as the subsidies by Parliamentary grants or the revenue raised by local rates, and their allocation to a single branch of one religion can only be defended on the same ground as subventions raised by taxation direct and avowed. These revenues from public sources are mere fractions of the revenues of Presbyterianism in Scotland. If members of the Established Church were to combine with that liberality which distinguishes members of the Free Church and the United Presbyterians there would be no difficulty in making good any deficit that might arise through the cessation of public endowments. As a matter of fact, in a considerable number of cases where the Established Church is most vigorous and flourishing, it is self-supporting, and Disestablishment and Disendowment, if they came to-morrow, would create no appreciable disturbance of the existing state of things. It may be said these endowments are necessary for the poorer districts. But it is precisely in

those poorer districts that State interference has been found useless. This is notoriously the case in the Highlands. I could, if time permitted, give a list of a dozen parishes in the Highlands with a population of 16,000 inhabitants and only sixty-three communicants of the Established Church kept up at the cost of £8 or £10 per head for a miserable minority of the population. The people in these parishes are strictly Presbyterian, but they belong to the Free Church, and have nothing to do with the Establishment. Speaking on the Bill introduced in 1886 with the avowed object of inducing the Highland parishes to abandon the Free Church, the hon. and learned Member for Inverness (Mr. Finlay), who is about to move an Amendment to my proposal now, epigrammatically stated the case in these words:—

“In the country districts of the Highlands the endowed Church had no people, and the people’s Church had no endowment.”

The hon. and learned Member desired to rectify the anomaly by endowing the Church of the people, but we believe it is a far more just plan to disendow the Churches which have not the people. Now in these Debates, though I do not know that it is very germane to the question, the question of the true tenets of the Free Church on the doctrine of State Establishment continually crops up. In vain the Free Church, by resolutions year after year, pronounces in favour of Disestablishment and Disendowment. We are told that position is inconsistent with the creed of the Free Church; and in the discussions on the Bill I have referred to, my hon. and learned Friend quoted the opinion of counsel to the effect that—

“Anyone who did not hold the Establishment principle rejected an essential part of the constitution of the Free Church.”

Well, if that is so, then the Free Church must be more deeply committed to that principle than the Establishment from which it sprang, for in the *Campbeltown* case—“*Smith v. Galbraith*,” decided in the Court of Session in 1839, shortly before the disruption—the Court laid down in most emphatic terms that the

doctrine of State Establishment never had been the doctrine of the Church of Scotland. In support of that decision Lord Meadowbank, a great authority on ecclesiastical law, and on this subject in perfect accord with his brethren on the Bench, in the course of his judgment said—

“The argument of the pursuer rests, first, on the proposition that it is an essential part of the faith of the Church of Scotland that the State shall maintain and endow that Church for the religious instruction of the people. . . . On that point I entirely concur with the views which your Lordship has so luminously explained. I never heard that, spiritually speaking, it ever was required in the Established Church that the principle of an Established Church in connection with or endowed by the State should be professed as an article of faith. Sure I am that not a word having any tendency to such a doctrine is to be found in any one of the recognised Confessions of Faith promulgated by the Church from the period of the Reformation down to the present hour. On the contrary, the whole history of those tenets, which our Church has ever maintained, is hostile to such a principle.”

Then he goes on to quote the Confession of Faith recognised and enforced by Parliament, 1567, cap. 3, which, he says—

“Is utterly and entirely repugnant to any such principle.”

It may relieve the minds of those who profess to see an attack made upon the tenets of the Church by such a Motion as this to know, on the highest legal authority, the decision of the Court of Session, that if Disestablishment and Disendowment should become law to-morrow not a single principle or tenet of the Established Church would suffer the smallest hurt or damage. Now, in the Amendment which stands in the name of the hon. and learned Member (Mr. Finlay), and indeed in all the Amendments, with one exception, it is asserted that Disestablishment and Disendowment would not be consonant with the wishes of the Scotch people. My hon. and learned Friend will doubtless base his statement upon the statistics of Petitions presented to this House against Mr. Dick Peddie's Bill. But many of these Petitions were analysed and their worthlessness demonstrated at the time. I will not enter into the matter further than to say there is no Ballot Act existing in connection with Petitions and no Corrupt Practices

*Dr. Cameron*

Act to prevent a man signing as many Petitions as he likes. But we have had two General Elections and many bye-elections since that date; and when we are told of large numbers of members of the Free Church and of the United Presbyterians having signed these Petitions in favour of Establishment, we may set against these the resolutions passed by the General Assembly and the Synod year after year in favour of Disestablishment and Disendowment, and we may also retort, by asking why, with these Petitions, indicating such numbers in favour of the Establishment, do they not make their views felt by the Members returned to the House? In 1887 Lord Hartington stated that the question was one that should be decided according to the desires of the Scotch people themselves, and that whenever the Scotch people made up their minds upon the question, the Liberal Party would be prepared to deal with it on its merits. My Resolution has been three times before the House in two successive Parliaments. In 1886 there were for every three Scotch Members in its favour only two against, and on the second occasion there was an absolute majority of Scotch Members in its favour. Bye-elections have shown a greater proportion in favour of this proposal among the candidates returned; and on the last occasion in 1890, when the right hon. Gentleman the Member for Midlothian declared that the conditions laid down by Lord Hartington had been fulfilled and the Liberal Party were committed formally to the support of the Resolution, on that occasion forty-three out of the seventy-two Scotch Members voted or paired in its favour. I do not see how these facts can be denied or ignored when the principles of Parliamentary representation are recognised. But the hon. and learned Member for Inverness says—

“It is not desirable in itself, nor consonant with the wishes of the people of Scotland, that the Church of Scotland should be disestablished and its endowments diverted to secular uses; and that, in the opinion of this House, it is highly desirable that the Presbyterian Churches of Scotland should be re-united upon a national basis, and that the endowments should continue to be appropriated to religious purposes.”



Well, it may be highly desirable that the Churches should be united on a national or, as the hon. Member opposite (Mr. de Lisle) would have it, "Catholic" basis, but that will never be accomplished on the basis of any Parliamentary interference short of Disestablishment or Disendowment. That is not only my opinion, but the opinion of men who hold opposite views. When the Patronage Act of 1874 was passed through Parliament, it was again and again alleged that the effect would be to bring about a union between the Established and the Free Churches. The Duke of Argyll, who has always taken a deep interest in Scotch ecclesiastical subjects, saw the fallacy of this contention, and when the Bill was before the House of Lords spoke as follows:—

"I have always said there is no hope of a union of the Free and Established Churches, except on the basis of Disestablishment and Disendowment."

An hon. MEMBER: What was the date?

DR. CAMERON: The Duke of Argyll said that in 1874. If the Duke has changed his opinion since then, the facts on which he then rested it remain unaltered, for he went on to say that there were insurmountable physical difficulties in the way. There were nine hundred ministers who separated themselves voluntarily, and what would become of them? They would starve. That may be the opinion of the Duke of Argyll, but I strongly object to the noble Duke's way of putting it. The Free Church ministers have before now faced starvation on account of what they considered to be their duty. But as to the justice of his main contentions the events of the last eighteen years have left very little doubt. Then there is another opinion expressed by a Gentleman who does not, perhaps, carry the same weight as the Duke of Argyll—the Marquess of Lorne. He has been Governor-General of Canada, and he looks at Church questions in Scotland in the light of his Canadian experience. Writing in 1885 in the *Scottish Review* the Marquess of Lorne asked—

"Can any honest Presbyterian now believe that union is possible under the Establishment banner? We know it cannot be."

With that opinion I cordially agree. A number of non-established Presbyterian Churches have united. The United Presbyterian Church is an example of this, and the Free Church has been strengthened by the accession of smaller Presbyterian Churches. The Free and United Presbyterian Churches were long engaged in negotiations for union, and if it had not been for obstacles arising out of the existence of the Establishment they would probably have been united long ago. Union can only be brought about by mutual agreement; it can never be brought about by the seduction of individual members, and it can never be brought about by Parliament altering its laws or the conditions of endowment to meet this or that individual's scruples, to tempt this or that individual's cupidity. In the Amendment which is about to be moved the hon. and learned Member practically confesses that the present Establishment in Scotland is unsatisfactory, and modestly asks Parliament in this tenth decade of the nineteenth century to construct a new National Church. He confesses that the application of the endowments is unfair, and he asks the House to endow that new Church. The proposal is presumably that of the Laymen's League, of which he is a distinguished member, and it is to this effect: that Parliament should pass an Act declaring the spiritual independence of the Church; that the endowments of the Establishment should be participated in by the Presbyterian Churches, and that every Presbyterian minister in a parish should be declared the parish minister. But there has been an extremely guarded approval of the last two proposals by the Established Church itself, and the Free Church gave its reply to those proposals last year, when a resolution condemning them was carried by a majority of 7 to 1. The rejection by the United Presbyterians has been even more emphatic. That Church says that it can be no party to any proposals regarding the union of the Churches on the basis of a civil Establishment or participation, by itself or others, in any State endowment or other public funds. What, therefore, would be the result if

legislative effect were given to the Amendment which is to be proposed? It would be that State endowments might induce a certain number of seceders to abandon the Free Church and join the Establishment; but the Free Church and the United Presbyterian Church would more than ever resent the attack made upon them, and would support more vigorously than before the policy of Disestablishment and Disendowment. It has been said that it would not be easy to give practical legislative effect to my Resolution, but I think that would be vastly easier than to give practical effect to the Amendment if it were accepted by this House. The endowments of the Church of Scotland are not a fixed quantity. They are being constantly augmented, even when they are paid from local sources. The Town Council of Greenock is now engaged in resisting a claim for a stipend of £400 to the parish minister. This claim has arisen out of an undertaking to pay not less than £55 11s. 1½d. per annum, entered into by the predecessors of the Town Council some one hundred and fifty years ago. Already the dispute has cost one expensive lawsuit; a second is going on, and probably there will be appeals to the House of Lords. The whole matter appears to be involved in such confusion that the counsel who drew up the agreement by which Greenock agreed to pay double the sum stipulated, having occasion, as a Judge, to consider the case, and forgetting his previous connection with it, declared that he could not understand the principle on which this agreement had been arrived at. If we give to the Scotch people this sort of thing multiplied by three, you will get a state of feeling that will not promise well for the Establishment which my hon. and learned Friend proposes to set up. We have been asked, why should this motion be brought forward at the end of an expiring Parliament, when the public outside take very little interest in our proceedings? Our reply is this. If we allow this Parliament to close without moving the question, and a new Parliament came in, we should be told, as

*Dr. Cameron*

we have been told again and again, that this question was not before the people of Scotland at the election, and that the Representatives whom they returned had no mandate to express their views on this subject. We desire to make it known that the question is one which cannot be allowed to drop, but one over which we shall fight till victory is achieved. As to the answer that will be given to us to-night that is not a matter of doubt; but earnestly believing in the justice and righteousness of our cause, and believing that in it are bound up the truest interests of religion as well as of religious equality in Scotland, we shall confidently appeal against the adverse verdict of to-night to the supreme decision of the constituencies at the approaching Election. I beg to move the Resolution.

(9.35.) MR. ALEXANDER L. BROWN (Hawick, &c.): I beg to second the Resolution, and as I seldom interpose in the Debates, I feel I may say a few words on a Resolution of this importance. I should like to call the attention of English Members to the fact that those who are supporting Disestablishment and Disendowment in Scotland occupy a much stronger position than those of our friends who are advocating the same thing in England and Wales. In England those who belong to the Established Church have no doubt that the Episcopal is the purest form of Christianity, and is, therefore, deservedly the Established Church of the country. They would look with scorn and contempt on any proposal to assimilate their religion with that of the Baptists, the Independents, or the Wesleyans. In Scotland that is not so. No Established Churchman has ever ventured to say that his form of religion is better than the Free Church or United Presbyterian form. The most that he can say is that it is at least as good, but by his political action he has shown that he does not consider it as good. What has been the tendency of legislation in connection with the Established Church of Scotland in recent years? It has all been in the direction of making the Established Church a little more like the Dissenting Churches. In 1874 a Bill was pre-

sented to enable the Established Church, like the Dissenting Churches, to appoint their own ministers. I suppose that was with a view to make the Established Church more popular, and to give to its members the same rights and privileges that the Dissenting Churches possess. That I suppose is the explanation of the Church Patronage Act. In 1886 there was another attempt in the same direction, when the hon. Member who at present sits for Inverness brought forward a Bill to declare, what there appears to be some little doubt about, namely, that the Established Church was a spiritually independent Church. The Bill was intended to convince the Highlander that the Established Church held in all its entirety what is known in Scottish Covenanted history as the doctrine of the headship of Christ. The Bill was voted down, but I am very much surprised that in a House where the Liberal Unionist Party is supposed to be supreme it should not have been re-introduced. But has the hon. Member succeeded in detaching one single member from the Free Church, and inducing him to join the Established Church? The Highlander may be simple, but he sees very clearly that the State which declares this Church independent to-day can just as easily take away that independence to-morrow. And so we have in Scotland the extraordinary spectacle of two Churches side by side, and the Dissenting Churches making themselves so much more popular than the State Church, that the State Church is every now and then coming to this House with Bills to make itself a little more like the Dissenting Churches. We do not look up to the Established Church in Scotland, but I will not say that we look down upon it. It has been charged against us that we want to "pu' doon the kirk," but that is not so. We merely want to raise the Established Church to our own high level. I know there will be every effort on the part of our opponents to raise side issues, and so to prevent the public seeing the great principle for which we are contending, and which is becoming so popular in Scotland — absolute equality of all men and all sects in

the eye of the law. However the question may be settled in Church Committees, as politicians we fight under the voluntary flag and no other. There will also be an attempt on the part of our opponents to avoid stating the principle in which they say they believe, that it is the duty of the State to provide for the spiritual needs of the people. Those whose motives are very high will say that plunder and not piety is the mainspring of our action. We shall be asked what practical proposal we have to make; we shall be asked what we propose to do with the money that will be freed. I am not particularly anxious to get our opponents off that line of argument, as it is the line always taken by people who find it impossible to defend the principle for which they are contending. The principal side issues raised in these Debates are that the Established Church of Scotland is the Church of the nation, that it is free to all, that it is the Church of the poor, and that those who defend it are guarding the heritage of the poor. How can a Church be free to a man who utterly disapproves of the principle on which it raises its funds, who considers it dishonourable to put his hand in the State Treasury, which is simply his neighbour's pocket, to build his church and pay his minister? The other Churches are free to all Scotch Presbyterians; the Established Church is the only one which by its civil action shuts its doors in the face of half the people of Scotland. Then, what is meant by the Church of the poor? Does it mean the Church for the poor? for it certainly is not the Church of the poor. You will find in both town and country that it is the rich who go to the Established Church, while the free Churches are crowded by Highlanders and the labouring population. I think you mean the Church for the poor—the Church where they are provided with the inspiration the Christian religion gives for nothing. If that is meant I say there never was, and never will be, a Christian Church which is in that sense the Church of the poor. Our opponents are making a great deal just now of the point that if this controversy is forced on it will form the prin-

oipal bar to the union of the Churches. That I cannot understand at all. How can it be a bar to union to take away the favours one particular sect received from the State? If you say those from whom the favour is taken will sulk all the rest of their lives, then on their own heads be the sin and shame. In 1888 the then Solicitor General for Scotland stated the case as it ought to be stated. He said that he and his friends were bound to do their best for the spiritual interests of the people committed to their care. That is the Church and State argument. I would ask what the State is doing at present for the spiritual interests of the people. It is administering some £300,000; is that the measure of the spiritual interests of Scotland? And how is it that the spiritual interests do not increase? The bills for the Army and Navy increase year by year, but the boldest statesman dare not come forward with a proposal to provide for the increasing spiritual wants of Scotland. If that is so, does it not mean that you are pretending to defend a principle which you dare not put into practice? You dare not put your law into practice. In one of the burghs I represent, near Hawick, when a new minister was recently appointed the Kirk Session wanted to put the manse in repair, but the heritors refused to give one farthing towards it, and said they should be ashamed to come and ask the State to do for them what the other sects did for themselves. But the law is that the heritors are bound to keep the manse in repair. There are many Established Churchmen in Hawick who are glad the heritors did not put upon the community what the Church is well able to do for itself. As to the spiritual interests of the people being committed to the Government, I would ask the House to look upon the front Bench—I mean it without any offence—its occupants consist of men belonging to the Established Church of England, to the Roman Catholic Church—I will not go any further, but how is it possible that the spiritual needs of the Presbyterians of Scotland could be committed to such hands? We have only to look at the front Bench to see how utterly indefensible is the position

*Mr. Alexander L. Brown*

of our opponents, that the State is bound to provide for the spiritual interests of the people.

Motion made, and Question proposed, "That, in the opinion of this House, the Church of Scotland ought to be Disestablished and Disendowed."—(*Dr. Cameron.*)

(9.50.) MR. FINLAY (Inverness, &c.): I rise to move the Amendment which stands in my name. I have listened to the speeches of my two hon. Friends, and have nothing to complain of in regard to the tone in which they have brought the question before the House; but I was a little surprised at one or two of the things said by the hon. Member for the College Division (*Dr. Cameron*). He asked the House how it was, if the people of Scotland were opposed to Disestablishment, that there was not a larger contingent of Members from Scotland to support that view. My hon. Friend knows the answer perfectly well. He knows that before the General Election of 1885—one of the two which he said manifested the opinion of the people of Scotland—the right hon. Member for Midlothian (*Mr. W. E. Gladstone*) appealed in the most impassioned way to the electors of Scotland to give their votes for Liberal candidates irrespective of their opinions on the Church question. Does my hon. Friend think it right after that election to appeal to its results as evidencing the mind of Scotland on the Church question? His second deduction is equally wide of the mark. It is well known to those who took part in any contest in the election of 1886, that the Church question was not brought up in any constituency; the election took place on an entirely different issue, and, therefore, he cannot suggest that the votes given for Home Rule candidates in 1886 can be construed into support of a proposal for the Disestablishment of the Church of Scotland. I was a little more surprised to hear him have the courage to touch upon the grievance of ecclesiastical assessment for the repair of churches and manses. Whose fault is it that that grievance has not been remedied? The grievance would have ceased to exist if it had not been considered a profitable one.



DR. CAMERON: As a matter of fact a Bill was brought in for the special purpose, and it was thrown out again and again by the action of hon. Gentlemen opposite.

MR. FINLAY: I admire my hon. Friend's discretion in referring to a matter of ancient history, but the Bill was dropped by the hon. Member to whom my hon. Friend referred, and for years, instead of bringing in Bills to remedy the grievance, that Party has devoted itself to steadily opposing them. My hon. Friend said it is vain to hope that the Churches of Scotland will be united by Parliamentary interference. I have never advocated Parliamentary interference for that purpose. All that Parliament can do is to remove any obstacles in the way of re-union, and when the Churches, as I hope they may, have been able to agree on some basis of re-union, the State might lend its aid. The hon. Member for the Hawick Burghs (Mr. Alexander Brown) made one remark which surprised me. He said that the object of the Established Church of Scotland had been to endeavour to raise itself to the high level already reached by the Dissenting Churches in Scotland. Is not my hon. Friend a reader of the history of Dissent in Scotland? Is he not aware that every secession from the Established Church has been, not on the ground that those who seceded differed from the principles of the Church, but because they held that the majority of the day were not carrying out those principles in their entirety? When the grievance of patronage was removed, the Church of Scotland was returning to its best traditions, and reverting to that freedom which the Church claims as its birth-right. My hon. Friend also said that in this matter he was fighting under the flag of voluntaryism. Then, all I can say is that if he is fighting under that flag he is not fighting under the flag of the Free Church, for nothing is more certain than that anyone adopting voluntaryism is at issue with the Free Church on a vital point. It is impossible, in discussing the Disestablishment of the Scotch Church, not to carry one's mind back to the arguments for the Disestablish-

ment of the Irish Church; and, looking at the arguments in favour of that measure, one will find that in every part there is the most striking contradiction between the circumstances existing in the case of the Irish Church and those in the case of the Scotch Church. The Irish Church was disestablished because it was the Church of a small minority of the people of Ireland, and was not growing in the attachment of the people of Ireland. In the case of Scotland, beyond all question, the Established Church embraces within its fold one-half of the Protestants of Scotland. Then why is it we hear so much of these proposals to disestablish the Church of Scotland? It is not pretended that it is because the Church is weak. This agitation has been started because the Church is strong, and is getting stronger every day. They feel that the Church is growing, and unless it can be pulled down in no very long time it will be too strong for any attack. The Church of Ireland, again, represented a faith which was not the faith of the people of Ireland; it represented beliefs alien to those of the vast majority of the people of Ireland. Is that the case with the Church of Scotland? Is that the case with the Church of Scotland? The doctrines and government of the Established Church of Scotland are identical with the doctrines and government of the other Presbyterian Churches of Scotland. How is that, from any point of view which appears to have been stated to the House, an argument for pulling down the Church of Scotland? Is this a matter which ought to be looked at from a national point of view, or should it be looked at from the point of view of the rival bodies? I cannot help feeling that, in the great part of the arguments to which we have listened in this House and elsewhere in favour of Disestablishment, there is an under-current to this effect: that this question ought to be treated as if it were a question between rival corporations. After all, Churches and Ecclesiastical Organisations are merely a means to an end. We ought not in our zeal for the means to lose sight of the end. The Free Church, the United Presby-

terian Church, and the other Dissenting Churches of Scotland are great and useful bodies, but it is possible that we should be so engrossed in the welfare of the body to which we may happen to become attached as to lose sight of the fact that, after all, these bodies, the Dissenting Bodies of Scotland as well as the Established Church of Scotland, exist for the promotion of one great end, and that is the promotion of the religious and moral welfare of the people of Scotland; and what I ask this House to do is to treat this question from a national point of view. We ought not to look at these Churches as if they were so many competitors for the custom of the people of Scotland. There seemed to be a disposition in the speeches of my hon. Friends who moved and seconded this Motion to personify these Churches, and to endeavour to treat it as a sort of grievance to the Free Church and the other Dissenting Churches of Scotland that the Established Church should be under the protection of the State. What is the grievance? Is it a grievance to the people of Scotland? Surely not. The Established Church exists for the purpose of teaching those doctrines which have been professed and taught by the Free Church and the United Presbyterian Church, as well as by the Established Church of Scotland. Is it a grievance of the same kind as that which might be set up by any private teachers who consider that their business is interfered with if the State sets up national schools for furthering the education of the people? Surely it ought not to be considered as a grievance by those religious bodies that endowments, which in ancient times were devoted to sacred purposes, should be continued to be applied to the teaching of those doctrines which are dear to almost the whole Protestant population of Scotland. If the object of the agitation for Disestablishment be to give a triumph to rival religious organisations I can understand it; but if what they ought to look at is the welfare of the people of Scotland, I confess I do not see how the withdrawal of these endowments from objects which are dear to almost the whole people of

*Mr. Finlay*

Scotland can be regarded as either desirable in itself or as likely to meet with the approval of the people of Scotland. Now, what is the feeling of the people of Scotland with regard to this matter? The second portion of the Amendment, which I now submit to the House, is this:—

“That it is not consonant with the wishes of the people of Scotland that the Church established should be disestablished, and its endowments diverted to secular uses.”

We are told in some quarters that the Dissenting Churches of Scotland desire that there should be Disestablishment and Disendowment. I think the hon. Gentlemen who lay down that proposition have been either misled by the deliverances that proceed from the General Assemblies of these bodies, and that they have mistaken the voice of the majority in the General Assembly of the Free Church for the voice of the lay body of the Free Church. I do not deny at the present time that a very considerable majority of the clergy of the Free Church of Scotland have year after year voted in favour of the Disestablishment of the Church of Scotland. There is a very respectable minority indeed among the clergy of the Free Church of Scotland who have declined to be a party to any such resolution. But I do most absolutely deny that in this resolution which has been carried in the General Assembly of the Free Church of Scotland they represent the feeling of the laity of that Church. Some reference has been made to the provision of the Treaty of Union, by which the Establishment of the Scottish Church was supposed to be guaranteed. I never have put that provision so high as some of my hon. and learned Friends have desired to put it. Everything, of course, is in the power of Parliament. Our ancestors no doubt imagined that they had guaranteed most effectually the continued existence of the Established Church of Scotland; but I do say this, without any hesitation, that after a treaty of that kind it would be a breach of faith on the part of the united Parliament to disestablish the Church of Scotland without a clear manifestation of opinion from the people of Scotland in favour of that step.

Since the object of such a provision in the Treaty of Union, in which a weaker country joins with a stronger, was to stipulate for certain powers which it desires to remain unbroken, if that weaker country afterwards changes its mind, and is willing that the Treaty of Union should be modified in this particular, so be it; and the change can be effected without any breach of faith. That condition was fulfilled in the case of the Irish Church, for there is no doubt whatever that the vast majority of the people of Ireland were in favour of the Disestablishment of the Church of Ireland. Has that condition been fulfilled in the case of the Church of Scotland? Can anyone say that the opinion of the people of Scotland has been taken upon this point, and that it has been pronounced in favour of Disestablishment? I do not think the proposition can be more clearly stated than it was by the right hon. Gentleman the Member for Midlothian in a speech made in the course of the Midlothian campaign in 1879. He then said—

“I should be a party objecting strongly to any attempt to filch or to gain an advantage against the Church of Scotland, or against anything that is Scottish, without a fair consideration of the circumstances by the people of Scotland, to whom it should be referred. The reference must be a real reference. There must be a real consideration in order to have a real decision. Nay, the decision must not only be really manifested and pointed, but an undeniable decision, in order to bring about any fresh issue or any great change.”

Has there been any such reference or decision? Propositions have been made over and over again by the friends of the Church, who are confident that they have got the support of the people of Scotland in this matter behind them, in order that the opinion of the people of Scotland might be taken on this point apart from other issues. How have these overtures been met by the advocates of Disestablishment? They have been scouted as unconstitutional. (“Hear, hear!”) No doubt the constitutional mode of taking the opinion of the people of Scotland is by Parliamentary election. But what objection is there to putting in force some machinery which would elicit what the views

of the people of Scotland are on this point, uncomplicated by other issues? Why is it that such propositions have always been scoffed at and jeered at? I will tell right hon. Gentlemen why. Because the advocates of Disestablishment are afraid of the result. As no such proposal will be accepted by the advocates of Disestablishment, we are thrown back upon the constitutional means of making known the wishes of the people of Scotland upon this matter. And what is that? Surely it is a General Election turning upon this question. I know that that view is derided, and I know that it is considered absurd that there should be a General Election upon this question. I refer the gentlemen who regard that proposal as preposterous to what has been said by the right hon. Gentleman the Member for Midlothian, whom, I take it, they will hardly repudiate upon that point. When addressing the electors of Midlothian on this very subject in the course of the Midlothian campaign, he referred, speaking at Gilmerton, to the case of the Irish Church. He pointed out that resolutions were introduced and carried; and not only that those resolutions were carried, but that they did not bring about the destruction of the Irish Church, though they had raised the question in the face of the country, and that Parliament was dissolved upon the question. And he went on to say—

“Even in the case of the Irish Church, which was far weaker than that of the Scottish Church, even in that case there was, after the subject had been raised in Parliament, a Dissolution expressly upon the case. The verdict of the country was given only after a full trial and consideration, and this is what the Established Church of Scotland fairly and justly asks.”

Will the right hon. Gentleman below me (Mr. Campbell-Bannerman) get up and repudiate that, and say that that is an absurd proposal? Does he now propose to take the opinion of Scotland upon this question, or does he now deride the idea of a General Election upon this question?—because, forsooth, it is so very small. I do not admit that the question is a very small one. Scotland, it is true, is not so large as England; but, still, the question of the existence of the Established Church of

Scotland is a very serious matter for the people of Scotland to decide, and a matter on which they are entitled to have a deciding voice, without other considerations, which would complicate the verdict and confuse the voice of the country, being mixed up with that great issue. But surely the question of Disestablishment in Scotland loses none of its importance when you look at what the effect of such a proposal in Scotland would be upon the Church of England. Is it such a ridiculous proposal that the question of Disestablishment in Scotland should form the subject of a General Election before it is taken up by a responsible Government? Why is it that so much interest is taken in the subject of Disestablishment in Scotland by the Liberation Society in England? They do not care so much about the Church of Scotland—whether it exists, or whether it does not—but they know perfectly well that they are approaching the Church of England, and that the first operation of Disestablishment in England is that the Church of Scotland should be brought to the ground. That feature of the question was brought out with almost irresistible force by the right hon. Gentleman the Member for Midlothian, whose speeches upon this question in former years afford a perfect magazine of materials for the defence of the Church. In 1885, when he was appealing in the most earnest way to the electors of Midlothian and the people of Scotland not to be misled into the absurdity of not voting for the Liberal candidate because he was a Disestablishment man—when he was appealing to them to vote for the Liberal candidate who represented his opinion upon the Church, he pointed out that the question of the Church in England could not be raised without the greatest damage to the Liberal cause; and he pointed out that if the question of Disestablishment was raised in Scotland it would at once be taken up by the electors of England, and he used these very remarkable words on the 16th November, 1885, speaking at Edinburgh:—

“The first consequence of urging that Disestablishment should be made a test question in Scotland would be that the friends of the  
*Mr. Finlay*

Church of England would in one great phalanx rush to the poll and support the interests of the Church of Scotland and throw their weight into the scale adverse to Disestablishment.”

Is it possible—looking at the question of the Church of Scotland either as it affects the people of Scotland in itself or in its bearings, most keenly appreciated by the advocates of Disestablishment in England, on the question of the Sister Church in England—is it possible to say that a question so trumpery as that could not be taken in hand before there has been a Dissolution upon the question? The advocates of Disestablishment, while they sedulously avoid any machinery for taking the opinion of the people on this one question, and while they profess to flout the notion of Dissolution upon that issue, say, “Look at the voice of the Scotch Members in Parliament.” What is the good of looking at the way Scotch Members vote when they were returned irrespective of this question? We have got a very good authority for saying that the Scotch Members on this point may not represent the opinions of their constituents. Does the right hon. Gentleman the Member for Midlothian represent the opinions of the electors of Midlothian on this question? Why, when he was invited to express his opinion upon this question of the Scottish Church in 1885, the opinion of the electors of Midlothian was taken upon the question, with the result that sixty-nine per cent. of the electors of Midlothian, with the exception of three parishes—in which there was no reason to suppose any different result—actually signed a declaration against Disestablishment. The right hon. Gentleman the Member for Midlothian does not represent the opinion of his constituents on this question; and what security have we that the other Members from Scotland represent the opinion of their constituents? There is a constituency adjoining Midlothian with which in former days I had occasion to make myself acquainted, that is the constituency of East Lothian, represented by my hon. and learned Friend (Mr. Wallace), whom I do not see in the House; but although my connection with that constituency was not so long as my hon. and learned



Friend—and I never had the honour of representing it in Parliament at all—I certainly got to know enough of that constituency to be aware that my hon. and learned Friend in his advocacy of Disestablishment most certainly does not represent the opinion of that constituency. If he is returned again, as for personal reasons I should be glad he would be, he will be returned not because of his Disestablishment opinions, but in spite of them. The advocates of Disestablishment in Scotland preferred to trust to what they call the play of Political Parties; and the *modus operandi* is extremely simple. They have, as a rule, captured the Liberal organisation. The Liberal organisation selects a candidate. The first stipulation that the Liberal committee makes is that the candidate should be prepared to swallow Disestablishment. Until he adopts that shibboleth he is not qualified to stand as a Liberal candidate. But when that is achieved, then he comes forward as a candidate representing the Liberal cause, and the electors are appealed to to support the Liberal candidate as against the Tory candidate. Then they are told they should vote on general grounds of politics and that their vote will not tell against the Church Establishment, but when the election is over then that gentleman, if he be returned, is paraded in the House as evidence of the opinion of the people of Scotland. When you have an election turning upon this question in Scotland, then I think the result will astonish a good many of my hon. Friends who sit for Scotch constituencies with a very scanty acquaintance with the groundwork of Scottish opinion on this subject. There are two portions of the Amendment I have to put before the House, and the second portion is as follows:—

“It is highly desirable that the Presbyterian Churches of Scotland should be reunited upon a National basis, and that the endowments should continue to be appropriated to religious purposes.”

Now I apprehend that hardly any doubt can be entertained by anyone that it is desirable that there should be re-union among the Presbyterian

Churches of Scotland. Why are they separated? Their doctrine and government are absolutely identical, and the question that every man must ask is, “Why do they remain apart?” We are sometimes told, “You have only to disestablish and you will have re-union,” but I venture to think that instead of Disestablishment bringing about union it would put the greatest possible obstacle in the way. I do not think that Members acquainted with the feeling in Scotland will say that the Established Church has been the obstacle to re-union. On the contrary, I venture to think that it is only on the basis of a National Church that a union of the Presbyterian bodies in Scotland is likely to take place. Surely some light may be derived from history in this matter. The Free Church and the United Presbyterian Church entered into negotiations for re-union, and why was it these negotiations came to no result? Neither of them was established; the difficulty had nothing to do with an Established Church, as my hon. Friend (Dr. Cameron) seemed to suggest. The difficulty was simply this, that the Free Church discovered that it was as my hon. Friend has pointed out in the opinion of my right hon. Friend the Member for Clackmannan (Mr. J. B. Balfour) and a very distinguished Member of the Scotch Bar, who is now on the Bench—that it was a fundamental tenet of the Free Church that the Establishment principle should be recognised. The hon. Member for Glasgow quoted the sentence which, as many Members are now here who did not hear it, I may repeat—

“Anyone who does not hold the Establishment principle rejects in our opinion an essential point in the government of the Free Church.”

There is no power to alter that essential principle. That is why the negotiations between the Free Church and the United Presbyterians miscarried; it had nothing to do with the existence of the Established Church. If you carried a measure for Disestablishment to-day, you would not bring the Free Church and the United Presbyterian Church any nearer, for there would still remain the unsurmountable barrier I have mentioned. The Free

Church and the United Presbyterian Church would not be one whit nearer if the Established Church were disestablished to-morrow. It is an essential tenet of the Free Church that the Establishment principle should be recognised whatever may be the opinion of the majority of the hour in the General Assembly of the Free Church, and I do not believe that the clergy of the Free Church represent their congregations in this matter. We have cogent evidence to the contrary, and my impression is that if this matter of re-union of the Scottish churches were left to the laity of Scotland it would be settled in the course of twelve months. There is a strong feeling to that effect in Scotland, and the outcome of that feeling has been the formation of that body known as the "Laymen's League," of which I hope my right hon. Friend near me (Mr. Campbell Bannerman) may become a distinguished member. That body represents the feeling of laymen that there is a great and lamentable waste of ecclesiastical machinery in Scotland under the present ecclesiastical arrangements in that country. One united Church would suffice for the religious ordinances of the people, and why should the present state of things continue? Would any man of business tolerate such a state of things in matters under his control? Certainly not, he would look at it in this way, "Here we have these endowments long appropriated to sacred purposes; let us take them as the basis for a National Church as our starting point, and see whether we can get all this ecclesiastical machinery so fitted that it will work in promoting the religious and moral welfare of the people, so that we may go on without these unseemly and meaningless controversies." I must notice the statement my hon. Friend (Dr. Cameron) made in reference to the Highlands. He said it was notorious that the Church of Scotland did not provide for the poorer districts of the country, and he instanced the Highlands. I quite agree with my hon. Friend that in a large portion of the Highlands the people to a great extent—to a very great extent—do not belong to the

*Mr. Finlay*

Established Church; but was it quite fair not to add what everyone who knows anything of the position must know—that these very members of the Free Church in the Highlands are the most devoted opponents to Disestablishment in the country? Is this the way to convey a correct impression of the Church situation in Scotland? Surely it is fair to remember and to mention that in the Free Church in the Highlands are the most resolute opponents of Disestablishment; that they regard these endowments as appropriated to sacred purposes? My hon. Friend has cited the people of the Highlands as witnesses in favour of, instead of opponents to, Disestablishment.

DR. CAMERON: I cited the case of the Highlands for the purpose of showing the absolute uselessness of State Establishment and State Endowment in the poorer districts of Scotland.

MR. FINLAY: I do not complain of what he said, but of what he did not say. Surely the scandal of competing Churches in the Lowlands, and the state of things in the Highlands to which I have just been adverting, is enough to justify one in saying that it is desirable that the Presbyterian Churches of Scotland should be re-united on a national basis, and that the endowments should continue to be appropriated to religious purposes. There is very little in the way of re-union; and the obstacle, such as it is, was very nearly removed in 1886. My hon. Friend the Member for the Border Burghs said the Bill for that purpose in 1886 was thrown out of this House. He forgot to add that it was thrown out by a very small majority. I do not know why my hon. Friend should refer to that occasion. I should have been disposed if I had referred to it at all to refer to it rather as an occasion of encouragement to those who think that the very small obstacle in the way of principle might be taken out of the way of the Churches, so that there might be no further impediment to their re-union. All that is really needed is a very little mutual accommodation on the part of members of the different Churches. And what the laity of Scotland are

disposed to bear in mind is, that all these ecclesiastical organisations exist but as a means to an end. They think that those who are concerned in the direction of ecclesiastical affairs in Scotland in the great Dissenting bodies are sometimes given to mistake the means for the end. The spirit of patriotism is developed in connection with the association to which a man happens to belong, which leads him to mistake the organisation for the great object for which the organisation itself exists. If there is anything distinctive in the history of Scotland it is the history of the Scottish National Church. It is not necessary that a man should be even a Presbyterian to appreciate the great features of the religious history of Scotland. Of course every country must shape its own institutions and its own views, but a great deal of what is best in the life of Scotland has taken shape in the National Church of Scotland. I would appeal to every Scotchman who has some sense of what is due to his country—who has some sense of what is due to the past of his country, who has some care for the future of his country—not to lend a hand to destroy that which it cost his forefathers so hard a struggle to build up.

(10.34.) MR. PARKER SMITH (Lanark, Partick): I rise to second the Amendment that my hon. Friend has so ably moved. The hon. Member or the College Division quoted the great work that the Free Church has done since the disruption in building up a structure for itself. It is a great and splendid work that it has done, but in what spirit did that Church start? It started with a movement of splendid religious enthusiasm, a movement which all of us, whether we belong to that Church or whether we do not, admire for its strength, its earnestness, and its unselfishness. But is that the kind of spirit, the kind of impetus, with which we are trying to set the Established Church adrift? You are not telling it to start off on a mission of religion. Instead you are saying, "Erring sister go in peace;" you are seeking to send it away in disgrace, and with the reputation of having done evil in the

past. In the Free Church they are now finding difficulty from the loss of force and impetus which the dying out of the disruption feeling has given them. Two days ago the Moderator of the Free Church in his introductory address said this—

"For many years the special circumstances under which the Free Church came into being as a separate body formed a powerful factor in her history. A Church that had made such sacrifices . . . commanded the respect of all and the adherence of many. For a whole generation the disruption was a circumstance in their favour which no man could misunderstand, but to-day this strong force was almost wholly spent. . . . The loss of this initial force was really a very great one."

That was the answer to those who say that in proposing to disestablish and disendow the Church they are not hurting the Established Church, but that they are simply giving it the chance which the Free Church had before. And then they profess that this Disendowment is to lead to re-union. Reunion? We are only just now coming to the end of the bitter feeling that the disruption caused fifty years ago, and the disruption was not so much a contest between different sections of the Church as between the leading persons in the Church and the Court of Session and the Houses of Parliament. This present movement is a movement which is considered a clerical and ministerial one, and, therefore, the success of it would mean a permanent bitterness in the relations of the different Presbyterian bodies in Scotland which would last not fifty years, but which would not have expired at the end of a century. It has recently been sought by the right hon. Gentleman the Member for Midlothian and others to throw the onus upon those who are defending the Church instead of on those who are attacking it. That is entirely unjustifiable. It is for those who attack an institution which exists, and is doing a great work, who seek to change the historic policy of a country, to act not only against the ideas of the Established Church but directly against the whole tenets of the Free Church, and to do what not even the tenets and creeds of the Presbyterian Church in

sist on—to do all that for the sake of a phrase, a phrase which in Scotland has no meaning, “religious equality”—to prove their case. It is not suggested that the Church is asleep or stagnant; it is not suggested that she is simply resting on her endowments, and not doing work outside those endowments; that she is not doing a great work and spending what funds she has to the best advantage of nine-tenths of the country. There are none of those great inequalities of payments and of value of livings between one place and another as in the English Church; none of those inequalities which make a certain invidious distinction between the Established Church and Dissent in this country. The hon. Member for the Border Burghs tried to state that the Church of Scotland was the Church of the rich, and not of the poor. He tried it very feebly, and I should like to see him put forward that argument in an assembly of Scotchmen, and debate the question. There is one argument which I am glad to say has not been put forward, and which cannot be relied on for the Disestablishment of the Scotch Church. The Disestablishment of the Scotch Church is not a question of money. The question that is to be fought out there is the question of principle, because the whole amount that would be gained by the Disestablishment and Disendowment of the Scotch Church is something wholly and completely insignificant. The value put by the Disestablishment Committee in their circular on the National Funds that would be obtained in connection with the Disendowment would be something like £380,000 a year. A good deal of that, I think, could not in any way be realised. For instance, the assessments of churches and mansees could certainly not be realised in case of Disendowment, and then it was admitted a year or two ago by the hon. Member for the College Division of Glasgow, and also by the right hon. Gentleman the Member for Midlothian, that when you are dealing with this question you must deal with life interests in a generous spirit—that you must give up all the endowments that have been given to the Church by individuals, and that you must compensate

*Mr. Parker Smith*

all life interests in a large and generous style. And after you have done that in the same style as you did in Ireland, you would find nearly half the capital value of the Church used up; that was the proportion that they used up in Ireland. If you do that you would have a balance at the outside of £150,000 a year, though many are of opinion that it would be a great deal less. That is the whole amount of money you would have to distribute by destroying the establishment and endowments of this Church. It would not be more than half the amount of money which in this present Session has come as a windfall to Scotland, and over which we were nightly squabbling a few days ago. Is it worth while destroying an institution for money of that sort? Is the Establishment question a burning question now? There is no general feeling and no general activity in Scotland in its favour. Where are the public meetings, the petitions, the discussions and the newspaper articles that show that the question is in the people's mind as a burning and active question? It was brought forward strongly by the hon. Gentlemen, among others, in 1885, and it was pressed forward desperately on the ground that it was “now or never” then. But when the right hon. Gentleman the Member for Midlothian came down and was expected to curse the Church, to the surprise and bitter disappointment of keen disestablishers, instead of doing that he gave the word that the question of the Church at that election was not in any way to be a test question. Liberal Churchmen accepted that all over Scotland, and immediately after that speech a manifesto was issued by the Liberal Churchmen who had taken part in meetings held in defence of the Establishment. That manifesto was as follows:

“We loyally accept the declaration of Mr. Gladstone, as the Leader of the Liberal Party, that he will not support the Motion of Dr. Cameron, and that the vote upon that Motion is not to be taken as affording such an expression of the opinion of the people of Scotland as he has declared to be the indispensable condition of practical legislation on the subject. We shall accordingly give our votes at the ensuing election on the understanding, sanc-



tioned by our Leader, that the question of Establishments is not one of the test questions at that election."

The result came out in the number of Liberal Members who were elected throughout Scotland in 1885, but who certainly would not have been elected except for the action of the Churchmen. There is only one point that was quoted by the hon. Member for the College Division that I should like to refer to, and that was in regard to the Highlands, and in regard to measuring the effect of the Established Church in certain Highland parishes by the number of communicants. If he wanted to compare the hold of the Established Church with the hold of the Free Church upon those parishes, he should also have mentioned the number of communicants in the Free Churches in those parishes. All of us who know the Highlands know that in these places there is a very strong feeling, a superstitious fear, against becoming a communicant, and consequently, while you will have a very large number of adherents of a Church, you may count on your fingers the number of communicants, whether they belong to the Established Church or to the Free Church. But I do not want to base my case in any way upon percentages. The case would be gone if it was merely a question of the casting vote of some small section of the community. What we base our case on is that we say that thousands and hundreds of thousands outside the Established Church of Scotland do not desire Disestablishment. You complain of petitions being unreliable. Of course no one ever supposed that petitions were absolutely and strictly reliable, for when you have petitions of 650,000 on the one side and petitions of 3,000 on the other, there remains a good deal of margin for striking off accidental discrepancies, names put on that were not entitled to be on the petitions, and so on. I do not wish to enter on the question of the voluntary principles. I respect the principles but I do not agree with them, and I do not wish now to argue them. All we can say is that they are not the principles of the Free Church; they may be the principles of the

leaders of the Free Church, of large sections in the Free Church, but they are not the principles of the standards of the Free Church. Those principles are stated in the very strongest and clearest terms in the document which the Free Church chose for itself as its standard and test of membership. Dr. Chalmers, the first Moderator in the first Free Church Assembly, said this :—

"Though we quit the Establishment, we go out on the Establishment principle. We quit a vitiated Establishment, but we rejoice in returning to a pure one. To express it otherwise, we are the advocates for a national recognition and national support of religion, and we are not voluntaries."

Patronage was not the cause of the disruption. The Church has got on with patronage for 130 years. It was not a matter of conscience. It was simply the encroachments of the Court of Session that brought about the disruption. It was in search of spiritual independence that the Free Church went out in 1843—it was with the mistaken idea that they would get more spiritual independence outside the Establishment than they had inside that they went. In truth, the Established Church is at the present time the freest and most independent of any. The Church has a status of its own recognised by the Constitution which no other Church in Scotland has. Members of the Church are not content to have no views of their own; they are not content to merely watch the current of public opinions without taking part in it themselves. What is the way out of the difficulty? Presbyterians are in agreement all over the world; why should they not also be in harmony at home? Some ministers of the Free Church and of the Established Church hold services in one another's parishes, and the Established Church is willing to hold forth the chance of coming back on the principles which are the principles of the Free Church. To carry out a scheme of that sort—to bring the Churches together in one strong and solid Church, holding the old Scotch Presbyterian views—would be a task worthy of any statesman who has the confidence of the nation. It is in order to assist in this task of

bringing the Presbyterian bodies together in this way that I desire to support the Amendment.

Amendment proposed,

To leave out from the word "That," to the end of the Question, in order to add the words, "it is not desirable in itself, nor consonant with the wishes of the people of Scotland, that the Church of Scotland should be disestablished and its endowments diverted to secular uses; and that, in the opinion of this House, it is highly desirable that the Presbyterian Churches of Scotland should be reunited upon a national basis, and that the endowments should continue to be appropriated to religious purposes."—(*Mr. Finlay.*)

Question proposed, "That the words proposed to be left out stand part of the Question."

\*(10.5.) MR. CAMPBELL-BANNERMAN (*Stirling, &c.*): If I ask to be allowed to occupy some small part of the time devoted by the House to-night to the discussion of this subject—time all too scanty for the importance of the question—I do not think it will be grudged to me when I state that, having been a Scotch Representative for twenty-four years, I have not yet opened my mouth in this House on the subject of the Scotch Church. My intention is not to invite the House to consider the broad and general question raised by the Resolution of my hon. Friend the Member for the College Division of Glasgow (*Dr. Cameron*), but rather the position in which that question is now placed in consequence of the attitude of those who oppose Disestablishment. The Resolution moved has this advantage, I think, over the rival propositions before the House—that it is, at least, perfectly plain, unambiguous, and unequivocal. There cannot be the slightest doubt as to what my hon. Friend and those who support him mean. The Resolution means that the one branch of the Presbyterian Church in Scotland which is at present favoured with State patronage should no longer be distinguished in that respect from the two sister Churches. It means that these three Churches and all other religious bodies in Scotland should be put upon a footing of absolute political equality. It means that the public funds which

*Mr. Parker Smith*

are at present applied towards the maintenance of the work and ordinances of the Established Church should in future be devoted to some public beneficent purpose or purposes, in the benefits of which all our countrymen in the several localities of the country may share without distinction of creed, or Church, or opinion. That is what my hon. Friend and those who support him mean. Those of us who join in commending this policy to the House do not found ourselves merely upon the general theory of religious equality; we found ourselves upon the events of Scotch ecclesiastical history, upon the glaring inequality and injustice presented by the present relative position of the three Churches; and we found ourselves further upon the fact that, if there is one country under the sun in which the interests of religion can with perfect safety be left to the free action of the people, that country is Scotland. I would myself go further, and say that if there is a Church in any country under the sun which is fit and qualified in all respects to discharge in overflowing measure all the sacred functions which can be fulfilled by a religious society it is the present Established Church of Scotland, with the vitality and energy she has shown in recent years. That is our case. It has been put before Parliament so amply on many occasions that it is unnecessary to dwell upon it now. But how is our proposal met? We have been accustomed hitherto to be told that if our policy were adopted, the interests of religion would be sacrificed, that the moral and social progress of Scotland would be endangered, and that the State support of some Church or other was essential to what is called the national recognition of religion, and that without this national recognition of religion no prosperity can be expected for a country. That is a theory which I entirely reject, but I feel that it at least occupies lofty and even sacred ground. But have we heard it to-night? It has not been mentioned; it has disappeared. But we shall hear it again. We shall hear it constantly—on village platforms, in leaflets, in the conversation of canvassers seeking to win votes; but it is not

brought forward into the broad light of discussion in the House of Commons. Let me say that if that argument has anything in it, it, of course, supersedes all others; and if there is any force in it, then I must say that to be told the elements which are to determine a great cause like this are the wishes of the people of Scotland and the opportunities of debate in the House of Commons is not only idle, but I think I would go so far as to say that it is also insincere. If hon. Members who wish to oppose the Motion do so on the larger doctrine, why do they take refuge in these smaller questions which we find raised to-night? What are these Motions against the proposal of my hon. Friend, which we may take as representing the strongest and most effective argument that can be brought in opposition. There are two coming from different parts of the House—one from my hon. relative opposite, the hon. Member for Glasgow and Aberdeen Universities (Mr. J. A. Campbell), and the other from the hon. Member who has just sat down. These two Members are practically identical in political opinion, and, accordingly, the Amendments are identical in terms. And what do these Amendments say? They say there is no reason, either as regards the present position of the Church or the wishes of the people, why proposals for the Disestablishment and Disendowment of the Church should be entertained. If I were to be critical, I should express my surprise at the phrasing of the Amendments. It is not that the proposal should not be accepted or adopted—but “entertained.” To entertain a proposal is a suggestion of a compromise. I do not know whether that is intended. But let me point out that both these Amendments give up any rigid principle on the matter whatsoever—they are founded upon the present position of the Church and upon the wishes of the people. The present position of the Church is what it has been for the last fifty years, with the exception that the Church is stronger, and, therefore, better able to support itself by voluntary action than ever before. So that, as far as the argument from the

present position of the Church goes, it is an argument in favour of the Resolution. Then it is said we are to be guided by the wishes of the people, and I have every respect for the wishes of the people when they are expressed in the usual constitutional fashion through their Representatives. Then my hon. Friend the Member for Roxburghshire (Mr. Arthur Elliot) has an Amendment—and let me express my no small surprise at finding him among the ardent champions of Church Disestablishment—in which he wishes the whole matter to be postponed until we have first of all had adequate Parliamentary discussion, and until we have had a definite expression of opinion. By “definite expression of opinion” I suppose he means, as did the hon. Member who moved the Amendment, that there should be some step taken to ascertain in a special manner the views of the people of Scotland on this subject. I do not know whether my hon. Friend refers to a *referendum* or a *plébiscite*, or to something which requires some other outlandish name. If he means that a special vote should be taken, I must remind my hon. Friend that it would be almost an impossibility to obtain absolute demonstration by any such process. There is, I believe, a process in physics of resolving forces so that you may isolate some one force, and consider its individual effect on the hypothesis that no other forces are acting, but can you apply such a process to a moral or practical question? Suppose there was a *plébiscite* taken, and my hon. Friend the Member for Roxburghshire gave his vote on this question. Would he guarantee that at the same time he would not have one of his eyes, if not both, looking at the question of the Union with Ireland? It is obvious that in a country like this, where there are so many interests affecting men's opinions, you cannot completely remove one opinion from another. A party man will take a party view. This process of separation has never been attempted in this country, and I hope it never will be.

MR. ARTHUR ELLIOT (Roxburgh): I said nothing about a *plébiscite*.

\*MR. CAMPBELL-BANNERMAN: But how is the hon. Member to get this "definite expression of opinion" of the people of Scotland? Could a General Election perform the process of the abstraction of which I have spoken? Even supposing it were possible for a General Election to turn mainly upon the question of Scotch Disestablishment, how are we to know that that would even represent in Scotland an opinion purely and solely confined to the one question and the merits of this case? No, Sir, I confess I am constitutional enough and simple-minded enough to prefer the recognised mode of taking the judgment of the country. Then there remains the most important Amendment on the Paper, in the name of the hon. Member for Inverness (Mr. Finlay). My hon. Friend has at least this advantage over the others of whom I have spoken. He, at least, has the courage to say what he means, and he boldly traverses the thesis of the hon. Member for the College Division, and says that it is not desirable in itself that the Church of Scotland should be disestablished—more than either of the chosen champions of the Church of Scotland ventures to say in his Motion. But my hon. Friend also said much in his speech of this necessity for a special expression of the opinion of the people of Scotland. His arguments seem to me to come perilously near the fatal doctrine of Home Rule, because he was most anxious that the question should be determined solely by the Scotch people; and yet when he came to recommend his views further to the Committee he reminded them of the fact that the fate of the English Church would be largely in people's minds in England when voting upon this question. Therefore, the Home Rule which he wished to encourage would surely be over-ridden. My hon. Friend alluded to his intimate knowledge of the feeling of a part of Scotland far away from that district where he now so appropriately finds his seat. He talked of East Lothian, and until we elicited the fact it would have been difficult to discover that his connection with that district consisted in the circumstance that he was the unsuccessful candidate in an election there. Having followed that election pretty closely, I venture to say that two things were against him. The first was, that he was not outspoken in favour of Disestablishment, and, therefore, did not commend himself to the Liberal electors; and the other reason, which was absolutely fatal, was that he had the misfortune to be supported by the *Scotsman* newspaper, which every day covered the noble Lord the Member for Ipswich (Lord Elcho), who was his rival, with such constant denunciation and vilification as would have turned anybody willing to vote for my hon. Friend into a supporter of his abused opponent. I now come to what is the real gist of the question before us to-night. My hon. Friend the Member for Inverness talks in a somewhat vague way of re-union on a national basis. What does he mean by a national basis? Let us deal for the moment with the Presbyterian Church alone, without reference to other religious bodies, although these after all have also something to say on this question. Let us look the facts in the face, and I would here ask the House to bear with a Scotchman while he endeavours to explain facts, not familiar to those who have not the advantage of being Scotchmen. What does my hon. Friend mean by re-union on a national basis? Does he merely mean that the three Scotch Presbyterian Churches should make one great National Presbyterian Church? If so, we all agree. There is no reason under heaven why that most desirable consummation should not be effected. But my hon. Friend has used the term "national basis," not in the sense of a national Scotch basis, but in the sense of a State Church basis. Let the House realise what this means when I have stated a few facts. I wish to treat this question from a practical point of view, and of course, as I think, from a common-sense point of view too. And by that I mean I will put aside all ecclesiastical or political theories, and



the arguments drawn from Scotch ecclesiastical history, for, however interesting these may be to the student, and however useful to garnish and adorn our position, it is not by them that the feeling of the Scotch people will be practically influenced in this matter. The Presbyterian Church has three branches. The first in order is the Established Church itself, of which I need say nothing. The next is a body called the United Presbyterian Church, an agglomeration of Churches which from time to time have seceded mainly on the ground of spiritual independence; and the fundamental, essential doctrine of this United Presbyterian Church is that the interference of the State in religious affairs is unscriptural and injurious, and that the interests of religion are best served when they are entrusted to the voluntary effort of the people. The third body is the Free Church, the inheritors of those who left the Church in 1843, under circumstances so dramatic and so full of heroism, in protest against the interference of the civil power in spiritual matters. This Church includes a considerable number of men who are—to use the word of my hon. and learned Friend behind me—passionately devoted to that extreme doctrine of the State Church, which is now apparently abandoned by the champions of the Established Church. (“No, no!”) Well, the fact that the hon. Member says “No” will not prevent me holding that opinion. But it is a comparatively small section now which holds these extreme views. The great majority of the members of the Free Church of Scotland, lay and clerical, have by declarations year after year shown that they do not recognise the idea of re-incorporation except on the basis of perfect liberty and equality—in other words, Disestablishment. Now, does my hon. Friend propose a formal, honest, and open incorporation of these two seceding Churches in the Established Church? Not at all. Anyone can see that, in the circumstances I have stated, such an incorporation is practically impossible, and, in fact, to propose it is an insult to the consciences of those to whom it is offered. But the

object is to create some such modification in the position of the Established Church as shall tempt deserters to come back to it from the rival folds. Therefore, while professing peace, it is war that the hon. Member brings. By some specious modification in the constitution, or standards, or canons of the Established Church he hopes to be able to filch and pilfer here a member and there a member from the Seceding Churches in order to strengthen the Established Church. My hon. Friend who lends himself to that process knows but little of his countrymen. The honest men in the Established Church are just as much opposed to such a process as anyone else. Those honest members of the Established Church wish to see their Church strong; but sooner than that object should be accomplished by a process so unfair and insulting to their neighbours—their rivals, if you like—in the other Presbyterian Churches, whose conscientious convictions have driven them into secession, they would say, “Perish our endowments and perish our State privileges!” Is the House of Commons going to assist such a process as that proposed by the hon. Member? How can a United Presbyterian, if his connection with his Church be anything more than a name, abandon his principles, although he may benefit his pocket by joining the State Church? How can a Free Churchman, glorying in the traditions of his Church, and treasuring as his most precious heritage the history of his Church’s birth, consent to go back to the Establishment unless on the condition not only that he secures all for which his forefathers fought, but also the fullest recognition and atonement for their great sacrifices? The House of Commons has a peculiar responsibility in this matter, because it was Parliament that I will not say caused, but precipitated, the disruption of 1843. Is Parliament now to countenance an attempt to weaken and beggar this Church which for fifty years has nobly done its work? Let, indeed, the differences between the Churches in Scotland cease, and let the old sores be healed by union. On that we are all agreed. But the only path to union

is by admitting to the non-Established Churches the full justification of their present position; by withholding from all Churches—whether for the purpose of support or of direction and control—the hand of the State; and the Scotch Presbyterian people will do the rest, without the aid of Parliament and especially without the aid of my hon. and learned Friend the Member for Inverness (Mr. Finlay). My position is that the union he talks of can only be accomplished by Disestablishment, and I will quote in support of that position authorities that should have some weight with my hon. and learned Friend. The Chancellor of the Exchequer (Mr. Goschen)—who I am sorry to see is not present—was for a brief and uncertain period a Representative of a Scotch constituency, and in addressing his constituents on one occasion he used these words: “I would wish to recall the fact that I was an ardent supporter of the Disestablishment of the Church in Ireland.” It is difficult nowadays for us to conceive the right hon. Gentleman an ardent supporter of any reform—

“I can see,” he says, “in the Disestablishment of the Church of Scotland one great result, which would be entirely absent in the case of the Disestablishment of the Church of England, and that is the union of all the Presbyterian bodies. I am treading upon delicate ground, but I think that the fact that the Established Church is tied to the State was the one great obstacle to the union of the Presbyterians in Scotland.”

But I have a still higher authority, whom one naturally approaches with awe. The Duke of Argyll made a statement on this subject in 1874.

MR. MARK J. STEWART (Kirkcudbright): Quote what he said in 1891 or 1892.

\*MR. CAMPBELL-BANNERMAN: I will quote what he said in 1892 presently, which is better than 1891. In 1874 the Duke of Argyll held a certain opinion which I will now quote. It may be said that that is a long time ago. Well, that is a consideration which might have some effect in the case of anybody else than the Duke of Argyll; but he never changes his opinions, because he is never wrong. What he said in 1874 was this:—

*Mr. Campbell-Bannerman*

“There is no hope whatever of the re-union of the Free and Established Churches, except on the ground of Disestablishment.”

That is a plain statement from the mouth of a man who knows as much of the ins and outs of this question as anyone living. Well, now I come to what he said in 1892. In January of this year there was a meeting in Edinburgh of a strange body, called the Laymen's League, which exists with the object of uniting all the scattered flocks under the banner of the Establishment. The Duke of Argyll was brought to Edinburgh as the great orator on that occasion; and, since the days of Balaam, nothing more remarkable has happened, because he devoted the whole of his address to proving that all the outside seceding bodies were in a very poor way, and that the best of all possible Churches was the Church of Scotland—of course, because it was the Church of the Duke of Argyll. Not a very diplomatic way to bring about a solution of this question. He said, giving them small comfort—

“My advice is against going to Parliament at all. What can we get better than that on which we have stood for nearly 200 years.”

The *Scotsman* newspaper, which advocates generally the policy of the hon. Member for Inverness, was greatly disappointed with what the Duke said. It hoped the public would not be so ungrateful as to wish that he had buried his views in the quiet crypt of some Church magazine. It summed up the Duke of Argyll's speech as maintaining that the Church of Scotland is the one Church in Christendom which is built on the foundation of the Apostles and Prophets, and that its General Assembly is the one legitimate descendant and representative of the Council of Jerusalem. And it argued that, if it were an error to suppose that equal virtue was to be found in other Churches, the Laymen's League was nothing better than a Church Defence Association. Well, Sir, I pass from this point, because what I have quoted shows that eminent men among those who have no sympathy with the policy of my hon. Friend and Member for the College Division and myself share our opinion that the only way to effect a union is by Disestablishment.

It is my hon. Friend for the College Division, and not the Laymen's League, that is the true peace-maker in Scotland. My firm belief is that my countrymen are not so concerned, as they are sometimes thought to be, in nice theological distinctions and in the contests of Church Courts. They are tired and contemptuous of the dark intrigues of political ecclesiastics, such as those which the obscure Amendment of my hon. and learned Friend represents. The proposal of my hon. Friend for the College Division (Dr. Cameron) is perfectly straightforward and unmistakable in its design, and I believe, Sir, that the quiet and steady-minded men of all the Churches, Established or otherwise, have realised more and more every year that while Disestablishment is the only path that leads to union, it will bring no injustice to those concerned, and that it will vastly increase the power for good of that general Presbyterian Church, in which are involved indissolubly the sympathies and traditions of the great mass of the Scotch people.

(11.38.) **THE FIRST LORD OF THE TREASURY** (Mr. A. J. BALFOUR, Manchester, E.): Mr. Speaker, the right hon. Gentleman who has just sat down has not left me—I do not complain of it—any lengthened period of time in which to discuss the important questions now before us; but he has, at all events, left me sufficient opportunity to declare in explicit and clear language what is the opinion of the Government upon the Motion and Amendment before the House. One or two of the statements of the right hon. Gentleman who has just sat down I have listened to with extreme surprise. He occupied no inconsiderable part of his interesting speech with an elaborate attempt to prove not only that the opinion of the Scotch people has not yet been definitely taken on this question of Disestablishment, but also, under no conceivable circumstances, could that opinion be taken under our existing Parliamentary institutions.

**MR. CAMPBELL-BANNERMAN :** In the sense referred to by my hon. Friend.

**MR. A. J. BALFOUR :** The right hon. Gentleman attempted to establish the proposition that it was impossible to have a Dissolution, the result of which would clearly show whether or not the people of Scotland definitely desire the Disestablishment of their Church.

**MR. CAMPBELL-BANNERMAN :** On the contrary, I am ready to accept the result of a Dissolution—quite ready as soon as the Government will give it us—*asa verdict* on the point; but what I said was the question could not be segregated from all other questions.

**MR. A. J. BALFOUR :** In other words, the right hon. Gentleman is perfectly ready to accept the result of a General Election as conclusive on this point, while holding the opinion that it would show nothing of the general opinion of the country. He says he will accept the verdict, though it would not be given upon the question of the Disestablishment of the Church alone, but associated with the question of Home Rule, with the Temperance question, and with each and all of the items in the Newcastle programme. Upon that I have two observations to make, and the first is that it is not consistent with the view put forward by the right hon. Gentleman the Member for Midlothian in 1879. His object at that time was to persuade the people of Scotland to vote for him upon the Eastern question and other important questions then before the country, and he would not allow the red herring of Disestablishment to be drawn across the track. The right hon. Gentleman said—

“ Even in the case of the Irish Church, which was far weaker than the Scotch Church, even in that case the question was raised in Parliament and there was a dissolution expressly upon the question. The verdict of the country was given after full consideration, and that is what the Established Church of Scotland fairly and justly asks.”

So that whatever may be the view of the right hon. Gentleman at the present time, he in 1879 did not share the view

of the right hon. Gentleman the Member for the Stirling Burghs (Mr. Campbell-Bannerman), but on the contrary thought it was not only possible to get the verdict of the people of Scotland on the question of Disestablishment, but it was right to have that verdict definitely taken. That is the first observation I have to make, and the second is not less applicable to Scotchmen, who, over and over again, have had it thrown in their teeth when they have stood by the Established Church of Scotland, that the majority of the Scottish Representatives in the House have voted in favour of Disestablishment. Well, but in the view of the right hon. Gentleman what is the value of that verdict? Does it show that the people are in favour of Disestablishment? Not at all. On the right hon. Gentleman's own principle, what security have we that the hon. Member for Glasgow who moved this Resolution to-night, the hon. Member for the Border Burghs who seconded him, or others who supported him, were not elected by the constituents who sent them to this House to vote for Home Rule, or on the Temperance question, or any of the various points in the Newcastle programme? What possible grounds are there for believing that these hon. Gentlemen represent the opinion of the Scotch people, or even of their own constituents, on the great question which is now before us? I think the right hon. Gentleman in his few observations on this point has shown himself opposed to the contention of his Leader in 1879, and also at a later date, that the verdict of the Scotch people could not be derived solely from the voices of the Scotch Representatives. I do not propose to go at any length, nor would time allow me to do so, into the elaborate and important questions raised by the right hon. Gentleman. He has dilated on the advantage of re-uniting the various Presbyterian Churches in Scotland, and upon that everybody agrees with him, and it is the subject matter of the Amendment of the hon. and learned Member opposite (Mr. Finlay). But the right hon. Gentleman has told us that it would be degrading and insulting, or, at all events, contrary to the

*Mr. A. J. Balfour*

conscientious convictions of members of the non-Established Churches of Scotland, to enter into any arrangement of the kind contemplated in the Amendment. But upon what historic basis does the right hon. Gentleman found that assertion? He appears to be of opinion that it is a cardinal point with the United Presbyterian Church and the Free Church, and that it is an insult to ask them to deviate from it, not to unite with an Established Church. He assumes that it is the specific and peculiar creed of these Churches, that the ecclesiastical organisation which they follow should not be connected with the State. On what historic basis does he found the assertion? It is in absolute contradiction to the most notorious facts of history. It is perfectly true, I believe, that the great majority—not all—of the United Presbyterians do not approve of any relations—of any specific relations—between the Church and State; but it is no part of their original creed, no part of their existing organisation, no pledge to that effect is given by the minister or required from a United Presbyterian layman. I believe I am not going beyond historic fact and am warranted in saying that the original founders of the United Presbyterian Church did not express the view entertained by the right hon. Gentleman; but held precisely opposite convictions. If that be true of the United Presbyterians, it is certainly and emphatically true of the Free Church. The men who seceded from the Establishment and founded the Free Church were as convinced as we who intend to vote against the Resolution to-night are, that the ancient historic connection between Church and State in Scotland should be maintained, and to this day I believe the majority of the men who call themselves the Free Church are as firmly convinced in favour of the principle as their forefathers were when they seceded. I heard one argument of the right hon. Gentleman with astonishment. He told us that we, the Parliament of this country, were at all events partly responsible for the secession from the Established Church in 1843.



MR. CAMPBELL-BANNERMAN : I said precipitated it.

MR. A. J. BALFOUR: Responsible for precipitating the secession of 1843, that is the allegation. I believe the right hon. Gentleman said this Parliament, thus responsible, ought to be most careful before it weakens, or attempts to weaken, the Free Church of which Parliament is in part the author. What does the right hon. Gentleman mean by that argument? I boldly assert, and I do not think that anybody will contradict me who knows the ecclesiastical history of Scotland, that if the spirit of the Established Church, and the laws governing that Church in 1843, had been then what they are at this moment, not a minister or a layman would then have seceded from that Church. In seeking to unite the Free Church with the Established Church on the basis proposed, we are asking that from the members of the Free Church which their forefathers would readily have done. I utterly fail to understand, therefore, what this particular argument of the right hon. Gentleman means. When he went on to say that the consciences of Scotchmen required equality of treatment, and what is called by the Liberation Society religious equality as between different ecclesiastical bodies, he used a terminology which, however appropriate it may be to English controversies on the subject, is wholly alien to a discussion upon Scotch matters, for the Scottish people have never desired what the right hon. Gentleman calls religious equality; they have never wished to see the funds devoted from ancient times to the maintenance of the Presbyterian form of religion diverted to other purposes. Whether they belong to the Established Church or not, they have never wished for that kind of religious equality which figures so largely in Liberation Society speeches and pamphlets. I ask the House to reject this Motion on a very plain and simple issue. Here we have funds devoted from time immemorial to this purpose—not public contributions in the sense of contributions from taxation; but funds derived from private

beneficence principally, devoted from time immemorial to this public purpose under sanction of Statutes. I ask the House to reject the Motion because there is no purpose suggested to which these funds could be more usefully devoted or more in consonance with the wishes of the people of Scotland. It is true the right hon. Gentleman vaguely adumbrated some public purposes to which the money might be devoted—baths and wash-houses, I think he mentioned, but he did not tell us plainly what it was he had in mind—some obscure and remote purpose in which he thought these funds might be more usefully employed than in supporting the religion in which the people of Scotland as a whole believe and the form of worship they desire to follow. I do not agree with the right hon. Gentleman. I think the purpose to which these funds have been appropriated is the highest purpose for which any funds can be used. They are used for purposes certainly in consonance with the religious convictions of the people of Scotland, and this House would be ill-advised under any circumstances in diverting these funds to other uses, and would be guilty of a crime if it attempted any such diversion without a special mandate from the people of Scotland. I hope the House will assent to the Amendment, which certainly we on this Bench shall not hesitate to support.

Question put.

(11.59.) The House divided:—Ayes 209; Noes 265.—(Div. List, No. 140.)

Question proposed, "That those words be there added."

DR. CAMERON rose—

It being after midnight, Mr. SPEAKER proceeded to interrupt the business,

Whereupon Mr. FINLAY rose in his place, and claimed to move, "That the Question be now put."

Question put, "That the Question be now put."

(12.10.) The House divided:—Ayes 294; Noes 142.—(Div. List, No. 141.)

Question, "That those words be there added," put accordingly, and agreed to.

Main Question, as amended, put.

(12.30.) The House divided :—Ayes 247; Noes 175.—(Div. List, No. 142.)

Resolved—

"That it is not desirable in itself, nor consonant with the wishes of the people of Scotland, that the Church of Scotland should be disestablished and its endowments diverted to secular uses; and that, in the opinion of this House, it is highly desirable that the Presbyterian Churches of Scotland should be reunited upon a National basis, and that the endowments should continue to be appropriated to religious purposes."

### MOTIONS.

#### PARLIAMENTARY DEBATES.

Ordered—

That a Select Committee be appointed to inquire and report as to the cost and method of the publication of the Debates and Proceedings in Parliament.—(*Mr. Akers-Douglas.*)

MR. TIMOTHY HEALY (Longford, N.): Before the right hon. Gentleman proceeds to the nomination of the Members to serve on this Committee will he say upon what basis the selection has been made?

THE SECRETARY TO THE TREASURY (MR. AKERS-DOUGLAS, Kent, St. Augustine's): The usual course has been followed after due consultation with Members on either side to secure a Committee of a representative character.

DR. TANNER (Cork Co., Mid): I object.

MR. JOHNSTON (Belfast, S.): Perhaps the hon. Member would be satisfied if two directors of the *Freeman's Journal* were added to the Committee.

MR. SPEAKER: Objection being taken, the nomination stands over.

#### POST OFFICE ACT (1891) EXTENSION BILL.

##### MOTION FOR LEAVE.

\*THE POSTMASTER GENERAL (Sir J. FERGUSON, Manchester, N.E.): I beg to move for leave to bring in a Bill—

"To amend the Post Office Act, 1891, in relation to its application to Scotland, and to apply that Act to the Isle of Man and to the Channel Islands."

I may explain that this is precisely the same Bill as that brought in yesterday; there is simply an alteration in the long title.

Motion made, and Question proposed,

"That leave be given to bring in a Bill to amend the Post Office Act, 1891, in relation to its application to Scotland, and to apply that Act to the Isle of Man and to the Channel Islands."—(*Sir James Fergusson.*)

MR. TIMOTHY HEALY (Longford, N.): It is a somewhat remarkable thing that yesterday a Bill was introduced to correct a mistake in last year's Bill, and now there is a Bill to repair a mistake in yesterday's Bill. When shall we have an end of these corrections?

\*SIR J. FERGUSON: The present Motion is rendered necessary on technical grounds. The long title omitted to mention the application of the Bill to the Channel Islands and the Isle of Man. It was an oversight, but it is not worth a controversy. According to the forms of the House the title of the Bill must correspond with the provisions of the Bill.

MR. TIMOTHY HEALY: As a point of order, should not the Bill brought in yesterday be withdrawn before this Bill is introduced?

MR. SPEAKER: No, that is not necessary. In due course the substitution will be made.

MR. TIMOTHY HEALY: I must say it is somewhat remarkable that should have these two Bills introduced on successive days, and I think we should have some information as to what the Bill contains.

DR. TANNER: I object.

Motion deferred.

#### PIER AND HARBOUR PROVISIONAL ORDERS (NO. 4) BILL.

On Motion of Sir M. Hicks Beach, Bill to confirm certain Provisional Orders made by the Board of Trade under "The General Pier and Harbour Act, 1861," relating to Carlway and Kinsale, ordered to be brought in by Sir M. Hicks Beach and Sir J. Gorst.

Bill presented, and read first time. [Bill 368.]

PIER AND HARBOUR PROVISIONAL ORDERS  
(NO. 5) BILL.

On Motion of Sir M. Hicks Beach, Bill to confirm a Provisional Order made by the Board of Trade under "The General Pier and Harbour Act, 1831," relating to Bournemouth, ordered to be brought in by Sir M. Hicks Beach and Sir J. Gorst.

Bill presented, and read first time. [Bill 369.]

PUBLIC ELEMENTARY SCHOOLS BILL.

On Motion of Mr. Ritchie, Bill to provide for the valuation of Public Elementary Schools for the purposes of rates and for the use of such schools for meetings, ordered to be brought in by Mr. Ritchie, Sir William Hart Dyke and Mr. Long.

Bill presented, and read first time. [Bill 371.]

ORDERS OF THE DAY.

GALWAY INFIRMARY BILL.—(No. 350.)  
COMMITTEE.

Order for Committee read.

Motion made, and Question proposed,  
"That the Order be discharged."—  
(*Mr. Jackson.*)

MR. TIMOTHY HEALY : I do not object to the Motion that the Bill be referred to a Select Committee, but I would suggest to the right hon. Gentleman the propriety of an Instruction to the Committee, empowering the Committee to give the Bill a general application to all the Infirmaries in Ireland.

THE CHIEF SECRETARY FOR IRELAND (Mr. JACKSON, Leeds, N.) : That is hardly a practicable course. The clauses of the Bill are drafted to meet the particular case of Galway ; and even if it were desirable, I do not see how the Bill could be made applicable to all the Infirmaries in Ireland.

COLONEL NOLAN (Galway, N.) : The great advantage of the Bill will be to the Borough of Galway, though the County will to some extent share in the benefit.

VOL. IV.      [FOURTH SERIES.]

DR. TANNER (Cork Co., Mid) : Speaking from some experience of Infirmaries, I must say I should like to see the reform generally extended, yet on the principle that half a loaf is better than no bread, I do not think we ought to stand in the way of Galway getting the benefit, which may hereafter be extended to other Infirmaries.

MR. TIMOTHY HEALY : When will the Committee be struck ?

MR. JACKSON : At once.

MR. TIMOTHY HEALY : I hope in the appointment reasonable care will be taken to secure the representation of all sections of Irish Representatives.

Motion agreed to.

Order discharged.

Bill committed to a Select Committee of Five Members, Three to be nominated by the House and Two by the Committee of Selection.

Ordered, That all petitions against the Bill presented three clear days before the meeting of the Committee be referred to the Committee; that the Petitioners praying to be heard by themselves, their Counsel, or Agents, be heard against the Bill, and Counsel heard in support of the Bill.

Ordered, That the Committee have power to send for persons, papers, and records.

Ordered, That Three be the quorum.—(*Mr. Jackson.*)

MESSAGE FROM THE LORDS.

That they have agreed to,—Amendments to Roads and Bridges (Scotland) Acts Amendment Bill [Lords] without Amendment.

That they have passed a Bill, intituled, "An Act for Codifying the Law relating to the sale of goods." (Sale of Goods Bill) [Lords].

RAILWAY RATES AND CHARGES  
PROVISIONAL ORDER (ABBOTS-  
BURY, &c.) BILL.—(No. 4.)

Lords Amendment agreed to.

RAILWAY RATES AND CHARGES PROVISIONAL ORDER (MIDLAND AND SOUTH WESTERN JUNCTION, &c.) BILL.—(No. 7.)

Lords Amendment agreed to.

RAILWAY RATES AND CHARGES PROVISIONAL ORDER (TAFF VALE, &c.) BILL.—(No. 8.)

Lords Amendment agreed to.

RAILWAY RATES AND CHARGES PROVISIONAL ORDER (ATHENRY AND ENNIS JUNCTION, &c.) BILL.—(No. 25.)

Lords Amendments agreed to.

RAILWAY RATES AND CHARGES PROVISIONAL ORDER (EAST LONDON, &c.) BILL.—(No. 196.)

Lords Amendments agreed to.

LOCAL GOVERNMENT (IRELAND) PROVISIONAL ORDERS (No. 2) BILL.—(No. 298.)

Read a second time, and committed.

LOCAL GOVERNMENT (IRELAND) PROVISIONAL ORDERS (No. 8) BILL.—(No. 343.)

Read a second time, and committed.

LOCAL GOVERNMENT PROVISIONAL ORDER (POOR LAW) BILL.—(No. 342.)

Read a second time, and committed.

PUBLIC LIBRARIES LAW CONSOLIDATION BILL.—(No. 143.)

Reported from the Select Committee.

Report to lie upon the Table, and to be printed. [No. 221.]

Minutes of Proceedings to be printed. [No. 221.]

Bill re-committed to a Committee of the whole House for Monday next, and to be printed. [Bill 370.]

RECREATION GROUNDS BILL. (No. 201.)

Considered in Committee.

(In the Committee.)

Clause 1.

Committee report Progress; to sit again To-morrow.

PUBLIC ACCOUNTS COMMITTEE.

Third Report, with Minutes of Evidence and Appendix, brought up, and read.

Report to lie upon the Table, and to be printed. [No. 222.]

CLERGY DISCIPLINE (IMMORALITY) BILL.—(No. 239.)

Reported from the Standing Committee on Law, &c.

Report to lie upon the Table, and to be printed. [No. 223.]

Minutes of Proceedings to be printed. [No. 223.]

Bill, as amended, to be taken into consideration upon Thursday, and to be printed. [Bill 372.]

ANCIENT MONUMENTS.

Copy presented,—of Order in Council, dated 9th May 1892, declaring that certain Monuments in the county of Glamorgan shall be deemed to be Ancient Monuments to which "The Ancient Monuments Protection Act, 1882," applies [by Act]; to lie upon the Table.

EDUCATION (SCOTLAND).

Copy presented,—of Return showing the Expenditure from the Grant for Public Education in Scotland in the year 1891 upon Annual Grants to Elementary Schools, the number of Schools, and the Results of Inspection and Examination during the year ended 30th September 1891 [by Command]; to lie upon the Table.

It being One of the clock, Mr. Speaker adjourned the House without Question put till To-morrow.

House adjourned at  
One o'clock.



## HOUSE OF COMMONS,

*Wednesday, 25th May, 1892.*

## EDUCATION CODE, 1892.

## ANSWER TO ADDRESS.

THE COMPTROLLER OF THE HOUSEHOLD (Lord ARTHUR HILL, Down, W.) reported Her Majesty's answer to the humble Address of the 10th May last, as followeth :—

Gentlemen of the House of Commons,

I have received your Address praying that an Amendment may be made to the Code of Regulations by the Lords of the Committee of Privy Council on Education 1892, in page 39, column 5.

I will take the first convenient opportunity of complying with your advice.

## ORDERS OF THE DAY.

## ELECTORS' QUALIFICATION AND REGISTRATION BILL.—(No. 38.)

## SECOND READING.

Order for Second Reading read.

\*(12.27.) MR. STANSFELD (Halifax): In moving the Second Reading of this Bill I desire to set out by expressing the opinion that during the Debate no hon. Member will question the accuracy of my statement that our system of registration is in need—I may say in urgent need—of amendment, simplification, and reform. The defects of the present system are generally acknowledged, though I do not know that they are distinctly or in detail understood. It is a complex system, a system which is costly in point of money and time, and in putting the voter on the register it is uncertain and dilatory, and far too dependent, so far as the right to vote is concerned, on paid and party organisations. Its unfitness has increased, or we have become more conscious of its defects since the introduction of household suffrage, for the difficulty is the greater with the great masses of the people to whom the franchise has been entrusted, as they have neither the information nor can they afford to lose time from earning their living for the purpose of making their claim to be put

upon the register, or to defend that claim when party objections are raised against it. The demand for reform has largely increased of recent years, and the demand comes from either side of the House. With tolerable accuracy I think I have ascertained the defects of the present system, and I trust I shall convince the House that by the Bill I have provided a remedy for these defects, or for largely reducing them, after having given very careful study to the subject. The difficulties of the system of registration arose, in the first place, from the fact that it was framed when the franchise was far more restricted than, in these days of household suffrage, it is. Not unnaturally the main object in the minds of the framers of the system which has now become out of date was to put to the test of judicial investigation the claim to be on the register. Claimants are put to trouble and risk in getting their names on the register, and objections are almost encouraged. It is almost like going back to the time when I knew a little of law; when parties were supposed to fight out their pleadings and reduce them to an issue before appearing in a Court of Law. That old method of pleading was extremely troublesome and expensive, and the same remark applies to the case of registration. The man who makes his claim has the whole expense put upon him; he has to prove his claim and fight for his vote, and this he cannot do without having recourse to party organisation; and, as it used to be said, the battle of parties is fought in the Registration Courts. This should not be the system. The battle of Parties should not be fought over registration; the work of putting men on the register should be done by officers appointed to see that it is done. Our main object in improving the system of registration ought not to be so much the accurate testing of disputable claims as of placing on the register the name of every man who is entitled to the exercise of a vote. Such, broadly speaking, is the object of this Bill. I make the admission that I do not think it is possible to propose an efficient amendment of the registration system without to some extent dealing with the franchise itself. I did not address

myself to the question with any pre-conceived intention of dealing at all with the franchise itself, and I have only dealt with it, so far as I have thought it necessary to do so, to procure the simplification of the system of registration. There are other Bills before the House. I do not know that they have been withdrawn—but other Bills have been introduced of a far more radical nature, reducing all the various franchises to the simple qualification of residence. Some of these measures propose a continuous registration—that is to say, that in every area there shall be a competent and reliable official appointed to keep and correct the register, putting on it the names of persons as they become qualified by length of occupation, and thus abolishing the Courts of Revising Barristers. I do not deny the merit of simplicity to these measures; and for myself I do not object to simplification, but we cannot afford to wait, and ought not to wait, for the amendment of our system of registration until we can introduce a considerable franchise reconstruction scheme. The leading feature of the present Bill, before all others, is the reduction of the period of qualification. At present the freeholder must be in possession for six months before 15th July to complete his qualification, and in all cases of occupation a tenancy of twelve months before 15th July is required. One day less possession or occupation involves the loss of a year before the claim can be made good, and as the register does not come into force until 1st January, a man who happens to commence occupation on 16th July may find himself delayed practically for two and a-half years before he can exercise the vote for which occupation qualifies him. No one can defend this monstrous state of the law, which especially affects our working class populations in large towns since the introduction of household suffrage. The fourth clause of the Bill meets this serious objection. The qualifying period is reduced to three months, and ends with 24th June. The change in date has been adopted for two reasons—in the first place, it becomes possible to complete the Parliamentary register by 1st November instead of 1st Janu-

ary—a gain of two months; and, in the second place, the qualifying period will begin with Lady Day, the day when the new overseers come into office. The first duty of the overseer is to construct a new rate book, and so he becomes conscious of the facts recorded in the rate book of occupations commencing, and it is easy for him to construct the overseers' list of voters as time goes on. 24th June is a better day than 15th July also, because it is one of the ordinary quarter days when tenancies commence and close, and obviously this is a convenient time to conclude the qualification period. There are other conditions of the franchise dealt with in Clause 3 by which the present requirement for the payment of certain rates and taxes is repealed. Anyone who has practical acquaintance with the working of our registration law will admit the great simplification of the register this clause would bring about. It would improve the register and remove the cause of many merely technical objections. Inasmuch as it touches the franchise, and I have said that I do not touch the franchise, except so far as it is necessary for the purposes of this Registration Bill, the change requires some justification. Under the present law the rates must be paid which are due to the 5th of the preceding January, but this date is under the Bill no longer within the period of qualification. It may be that the occupier occupied other premises before Lady Day, but it is not in respect to those premises that the claim is made. There is then no reason for retaining the date of 5th January. There is another reason in support of the clause. Take the case of a compound householder or a service franchise voter. It is in the power of the landlord or employer to disfranchise such voters by neglecting to pay the rates unless a tenant takes the trouble to ascertain if his rates have been paid, and if not to make the payment himself. In the case of the service franchise I do not know that it is possible for the voter to guard himself in that way, for I do not think it is possible for him to separate the particular portion of the rates due in respect to his cottage from the rates paid by the landlord on

the estate. It is evident these are conditions under the present state of things which are a fruitful source of objection and disfranchisement. I may mention that lodgers who pay no rates are exempt from these difficulties, and why should the £10 occupier be subjected to them more than the lodger? My clause proposes the repeal of this qualification as well as the payment of assessed taxes on houses of £20 value, and I do not think the House will consider it is worth while to retain these difficulties in the way of a simplification of the register. Really it is a revival. It found a place in Lord John Russell's Bill of, I think, 1854. I go on now to the other proposals, one of which is aimed at the fact that successive occupation does not give a man a vote as freely as, in my opinion, it ought to do. A person removing from qualifying premises of one description to qualifying premises of another in the same area, as, for instance, from lodgings to a house or from a house to lodgings, loses the vote. If he moves from one place to another, from one set of premises which he has occupied, without *hiatus*, to another, each of them qualifying places, the two together do not qualify because of the time limit. That, to my mind, approaches as near as possible to legislative nonsense as anything I have read for a long time. Not only that, but when you come to successive occupation it very often happens that a man who is properly qualified loses his vote because of a slight and formal inaccuracy in his description of his successive occupations. Under the present law a revising barrister has no power whatever to remedy this. He cannot correct an inaccuracy even if it is clear that the man is entitled to his vote. One of the proposals of the present Bill is that the revising barrister shall be able, and it shall be his duty, to correct any entry of the kind, provided he is satisfied of the right of the man to be on the register. The eighth clause localises all cases of successive occupation of qualifying premises in the same electoral area, and the ninth clause does the same thing in different electoral areas, giving a man a vote in respect of his occupation; and it is in relation to this clause that Clause 21

gives the power of which I have spoken to the revising barrister. Then there is a point with regard to lodgers. At present a lodger has always to claim. The facts of ownership and lodgership, if I may coin a word for this occasion to express my meaning, are not known to the overseer; and the lodger, as I have said, always has to claim. It has always seemed to me and those with whom I am accustomed to consult that the overseers might, when making their inquiries on the subject of occupation, ascertain whether the lodgers on the register still possess the same qualification; and if they do, the overseers should put them on the list without the necessity of a second claim. I think this is a practical improvement to which there can be no possible objection, and it would not add considerably to the work of the persons who are now responsible for the lists. I say that the true groundwork in the matter of improvement of the registration is to secure that the lists should not be inaccurate, as they are now, and we should not leave people who are qualified to have votes to fight out the inaccuracies in the list at their own risk and their own expense before the Judicial Court of the Revising Barrister. What we need is provisions which will insure greater accuracy in the original lists than we have now; and on this subject I may say—and I know the hon. and learned Gentleman opposite (Sir E. Clarke) is well acquainted with the fact—that in Scotland they have an infinitely superior system of making up these lists than we have in this country. I hear no complaint of the system of the preparation of the Valuation Lists in Scotland. They are accurately made, and objections and claims are very rare, because of the accuracy of the original lists. In consequence of the consciousness we have of the superiority of the Scotch system, it has been proposed that the overseers should be disestablished, and that in every electoral area there should be a competent and reliable officer who should do this work. But I would point out to the House that there is just the same reason for retaining the overseers as there is for retaining the valuation officers. They both have in their hands the same information—

the Valuation Lists in Scotland and the Rate Book in England—and it seems to me that the analogy of Scotland does not go to suggest the abolition of the overseers, but it goes to suggest the appointment of registration superintendents in every electoral area, who shall utilise and command the services of the overseers and see that they do their work properly. I think that is far more in accordance with the Scotch system than creating new officers at great expense. There is no doubt that the overseers, particularly in the small rural districts, are not educated men, and are not competent for this particular work. The superiority of the Scotch system is that the valuation officer is competent. He is a better-class official and operates over a larger area. So I would say to my friends who are in favour of disestablishing the overseer that it would be a much easier and wiser course to put the overseers in training, give them the necessary assistance, and put them under supervision, and that is what in this Bill I have endeavoured to do. By the tenth clause registration superintendents are to be appointed by the County Councils and the County Borough Councils for every electoral area. By the 11th clause the overseers are bound to obey the directions of the registration superintendents. The 12th clause sets forth that in parishes where the population is over five hundred, and where there is no Vestry Clerk or competent official to make out the lists, the overseers or the Vestry should appoint paid assistants. The 13th clause provides that in smaller parishes the overseers shall be entitled to assistance, the remuneration to be fixed by the revising barrister. The 14th clause enacts that the registration superintendents shall draw the attention of the revising barrister to any neglect of the overseers with a view to a fine, and shall also call the attention of the revising barrister to any necessary alteration in the list. These are proposals with the object of simplifying the machinery of registration, and I venture to recommend them to the House. They do not upset the whole of the present system, and they accept the overseers, giving them sufficient extra assistance wherever it is

required, and placing them under the supreme direction of a competent registration superintendent in every electoral area. This is not my own measure entirely. I have had the assistance of gentlemen whose names would be sufficient authority, and I will mention the name of my late lamented friend Sir John Lambert, whose intimate acquaintance I enjoyed, and whose assistance I had in the construction of this Bill. I hope I have laid the proposals of the Bill before the House without unnecessary verbiage, because this is a practical question which ought to be practically considered. I will sum up once more the main features of the Bill. It abolishes the vexatious rate and assessed taxpaying clause. It reduces the qualifying periods from six months and twelve months to three months, ending on but not including the 25th June instead of the 15th July, for reasons I have already given. It enables persons to come on the register who have occupied qualifying premises of the same or different descriptions in the same or different electoral areas during the qualifying period. It enables a revising barrister to alter a claim when there is a proper qualification, and thus get rid of numerous technical objections. It provides for registration superintendents in every county or county borough, and enables the overseers to obtain registration assistance, when it is required, and arranges for the remuneration of assistants to the overseers in small parishes. I beg, Sir, to move the Second Reading of the Bill.

Motion made, and Question proposed,  
 “That the Bill be now read a second time.”—(*Mr. Stansfeld.*)

\*(1.6.) MR. TOMLINSON (Preston): It may be admitted by everyone in this House that the Registration Law is not in a satisfactory condition, and may be beneficially simplified, but the Bill as it stands goes much further than dealing with the machinery of registration, and would require to be greatly modified in Committee if read a second time. The Bill seems to have been drafted with care, and appears to be aimed mainly at simplifying the present system of registration. Look-

*Mr. Stansfeld*



ing at the Bill in that sense, I think we should be justified in reading it a second time, and leaving the details to be settled in Committee. It is true that the Bill raises the important question of the qualifying period of occupation, and I am one of those who think that the present period of occupation is not too long. It has always been the constitutional doctrine in this country that the right to vote is not merely a personal matter, but a right to take part in the representation of the particular locality with which the voter is connected. It is obvious, therefore, that if the qualification of residence is reduced, there will be a danger of leaving the representation of a locality not in the hands of the permanent, but of the temporary residents. I have known several constituencies where a temporary influx of residents has occurred, and those people may come on the register even under the existing law. And thus in some cases, where the parties are very evenly divided, and the majority one way or the other is very narrow, it may happen even now that the permanent voice of a constituency is overborne by this influx of voters, who are only there carrying out some work for a year or two, and then leave the neighbourhood never to return. What, I ask, would happen if everyone of these men were allowed to go on the register after two or three months' residence? I do not approve of that part of the Bill which proposes to shorten the period of occupation. But if that be left alone, whether it is possible to simplify the machinery for bringing a voter qualified by residence into possession of his vote is another matter, and one which I think might be discussed in Committee on this Bill. With regard to the appointment of superintendent, my experience is not sufficient to enable me to speak confidently as to its probable results. But it is easy to see that there would be some difficulty where a portion of the Parliamentary area is not within a municipal boundary. I do not know what position the Town Clerk would occupy in such a case, as he is to be superintendent in the borough. Difficulty might also arise in the case of a municipality forming part of a County Division.

Therefore the machinery for dealing with that point would require some careful consideration in Committee. I would say, therefore, that if the House assents to the Second Reading of the Bill to-day, it ought to be clearly understood that all the provisions of the Bill are to be treated as matters of detail to be settled in Committee, and that the principle of simplifying the machinery of registration is the only proposition affirmed.

\*(1.12.) MR. JAMES LOWTHER (Kent, Thanet): I cannot arrive at the same conclusion as my hon. Friend (Mr. Tomlinson) with regard to the action which should be taken by the House in this matter. I am perfectly well aware that in reading the Bill a second time the House practically commits itself to nothing in regard to the registration of the country at the present time. Everybody is well aware that even if the Bill is carried through the Second Reading to-day it has no earthly chance of receiving the Royal Assent this Session, and therefore many hon. Members are doubtless more agreeably occupied than in taking part in the Debate this afternoon. I took the opportunity of coming down to record my vote against what I think would be an undesirable alteration of the law. I move, Sir, that the Bill be read a second time this day six months. The Bill is a Reform Bill materially affecting the representation of the people, and this is almost the first occasion on which a Bill dealing with the electoral franchise has been urged on the House except on the responsibility of a Minister of the Crown. The right hon. Gentleman will agree that though measures affecting certain infinitesimal provisions regarding the representation of the people have been passed, no Bill so comprehensive as this has been seriously considered by the House of Commons except on the responsibility of a Minister of the Crown, and that is one ground on which I ask the House to support my Amendment. The Bill is framed ostensibly on somewhat modest lines, and the right hon. Gentleman in his explanation carried out the principle of moderation; but what are the objects of the Bill? The right hon. Gentleman

calmly proposes to repeal a provision which has always been attached to the occupation franchise in this country—that a person should be rated and pay the rates levied in respect of the qualifying premises. The right hon. Gentleman wipes out that very material safeguard, and proposes to entitle every person to vote, however great his default may be in regard to the local burdens, the faithful discharge of which has been insisted on by Parliament as an essential element of the occupation qualification. That is a strong order to begin with. The right hon. Gentleman goes on to alter the period of residential qualification. I am not prepared to say that some improvements might not be made in the existing arrangements, but I hope the House will not accept the invitation to make the change now suggested. The principle on which the representation of this country has been always hitherto based is known as the local principle. Many other principles have been recommended to the House. Mr. John Stuart Mill recommended Mr. Hare's principle, which was based upon personal representation. By it the individual elector, wherever he might reside, was to be personally represented, in an elaborate manner, as such, without any regard to the locality where he might reside. There is much to be said in favour of that principle, but this Bill proposes to retain the existing local principle and to engraft upon it the personal principle. Under this hybrid system persons might be brought from all parts of the country, and thus swamp the opinion of the locality with which they had only a temporary connection. So long as our system of representation continues to be local we ought to have some efficient guarantee that the persons on the register are *bona fide* connected with the locality, and are not temporary sojourners in the district. I also object to the provision dealing with successive occupation. That has always been understood in a strictly local sense, and is limited to the same constituency by the existing Act. The right hon. Gentleman proposes to enable a person who may be occupying premises in Cornwall to claim for premises in, say, Northumberland after a short occupation; or, in fact,

practically without any occupation at all. That is a novel proposition which the House will do well to be guarded in accepting. The right hon. Gentleman has dealt very loosely with the question of rating. He seems to think that failure to meet the honourable requirements involved in the Local Government of this country should not be insisted on as a necessary qualification for a vote. I differ with him entirely on that point. There is one grave anomaly which the right hon. Gentleman has not dealt with in his Bill, but which, if he undertook to deal at all with these questions, he might well have taken cognisance of—that is, the existing system under which rates are compounded for by the owners of tenements, who thereby obtain some slight modification of their local burdens, which I do not think is to the interest either of the State or the locality. Notwithstanding the fact that the owner compounds the rates, the persons occupying the premises are entitled to vote as if they paid the rates. It consequently very frequently appears that the so-called ratepayer is a person whose only connection with the rates is that he has never paid any in his life. It is no wonder that the rates go up by leaps and bounds. The so-called ratepayers who vote for the candidates have no interest in keeping them down. I may be told that in the long run the occupier pays the bill. Nineteen ratepayers, however, out of every twenty know perfectly well that to whatever extent their zeal may carry them in the way of additional burdens, thereby raising money in which they may in many instances be able to participate, in the guise of labourers or tradesmen or otherwise, that these additions to the local rates are a very long time in finding their way, if they ever do find their way, in the shape of added rent back into the pockets of the owners of property. Therefore, I should have hoped that the right hon. Gentleman would have inserted a provision in this ambitious Reform Bill of his for dealing with what, undoubtedly, is a very great anomaly in our present system. But I trust before the right hon. Gentleman comes again before Parliament with a Reform Bill he

*Mr. James Lowther*

will give his serious attention to the suggestions which I have ventured to make. The ratepayer, in my judgment, ought to pay his own rates. I do not wish to detain the House at any length; but I felt it my duty to draw attention to what undoubtedly are very grave defects in the right hon. Gentleman's Bill. Without going into any further detail, I would really ask the House whether this is a Bill which we are justified in passing in a platonic manner—a measure which there is no single person who has any knowledge of the House of Commons who is not perfectly aware can never be carried practically into legislative effect during the present Session of Parliament. It may be asked why, under these circumstances, go to the trouble of opposing this Bill? Why not allow this stage to pass, and put down what is commonly called a "block-notice," and so ensure that we shall never hear any more of a scheme which, I am bound to say, has been largely treated, I will not say with levity, but with an absence of interest, as is evidenced by the state of the Benches on both sides of the House? My reason is this, that I think that Parliament is abdicating its duty when either of the two Houses composing the Imperial Parliament gives the smallest assent or endorsement to principles of which a large section, and as I hope a majority, of Members decidedly disapprove. Therefore, I should hope that the House will consider this measure on what I consider its demerits, and that it will discourage the introduction of amateur reform. I use that term in no disrespectful sense towards the right hon. Gentleman, who to my own knowledge has been more practically associated with legislation bearing upon questions of this nature than perhaps any other Member of this House. He has had experience as a responsible Minister. Should he occupy that position again he will be entitled to approach the subject with the prestige of having had practical knowledge and Parliamentary experience; but occupying the irresponsible position which he and I both occupy at the present time I am justified in describing this as amateur legislation, as endeavouring to obtain the assent of

Parliament to a principle which it is not seriously intended to carry into effect, and to commit Parliament, at the instance of a private Member, to a principle which I trust under these circumstances will never be assented to—namely, a tinkering of the Registration Laws in support of wire-pulling party interests, with the view, according to many people, of gaining supposed party advantages, though I am not myself prepared to say whether one or the other party would be affected in a party sense by the provisions of this Bill. I hope the House will support me in moving, as I now do, that this Bill be read a second time this day six months.

(1.35.) MAJOR GENERAL GOLDSWORTHY (Hammersmith): Mr. Speaker—

MR. SPEAKER: Does the hon. and gallant Member second the Motion?

MAJOR GENERAL GOLDSWORTHY: I do. My reason for intervening in this Debate is that I entirely disapprove of this Bill; and I will give my reasons for disapproving of it. When we had our last registration in the borough which I represent, I found, through the registration agent, than an enormous number of bogus claims were put forward; so much so that the revising barrister sent these claims to the Public Prosecutor with a view to have some steps taken in the matter. What does this Bill propose? It proposes a three months' residence as sufficient. How can a personating agent do anything at an election when men only reside three months in a locality? There have been an immense number of men struck off the register in my locality, and if it had not been for the very able and very capable registration agent these men would have been upon the register, and had there been a General Election, possibly voters would have been found who would have adopted those names. I do not accuse any right hon. or hon. Gentlemen whose names are on this Bill of having any cognisance of that, or that they would themselves lend themselves to such a thing. On the contrary, there are Liberals in my own constituency who repudiate what was done. If these tactics have been employed where there is a large majority,

as there was in my constituency, of about one thousand six hundred, what about those constituencies where there is only a majority of one or two hundred? I consider that in the Metropolis, at all events, it is necessary that the period of residence should be more than three months; and I am not putting the matter now from a party point of view, or from any particular point of view. I give my strenuous opposition to this Bill. I am fully aware, however, that the Registration Laws want alteration, but I think myself that they should be altered in a different direction from what is proposed here, and that this Bill would not be for the good of this country if it took effect. I have great pleasure in seconding the Motion.

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day six months." — (Mr. James Lowther.)

Question proposed, "That the word 'now' stand part of the Question."

\*(140.) Mr. SHIRESS WILL (Montrose, &c.): The hon. and gallant Gentleman (Major General Goldsworthy) said he would tell us the reason why he objected to this Bill. I listened to hear what his reason was. The reason the hon. and gallant Gentleman put forward was that some time recently within his constituency certain people, improperly professing to be voters, who had claimed to have their names entered upon the register, were found out, and their claims were rejected. In the first place that shows, if it shows anything at all, that the hon. and gallant Gentleman either must live in a very lax constituency, or else that due care had not been taken by the proper person concerned in that behalf to see that those persons did not go on the register. The hon. and gallant Gentleman could not have read this Bill, because if he had he would have found that the right hon. Gentleman in charge of the measure has specially put in a clause which will impose upon the overseers the duty of seeing that the lists are protected from improper claims of a character such as the hon. and gallant Gentleman referred to. The right hon. Gentleman the Member for Thanet based his objection to

*Major General Goldsworthy*

this Bill on the fact that it was a Reform Bill; and although he got away from that objection, and proceeded to consider some details, he kept reverting to it. Afterwards he called it an "amateur Reform Bill," and later on he called it a "tinkering Reform Bill" but discarding the epithets, it is none the worse for being a Reform Bill, and it is because it is a Reform Bill that we on this side of the House support it. Therefore the point is not whether it is a Reform Bill or not, but whether there is real substance in the objections which the right hon. Gentleman put forward, and put forward with clearness and fairness, to the measure before the House. The right hon. Gentleman stated that his first objection was that, by a sweeping provision in this Bill, the necessity for the personal payment of rates, so far as it is a qualification for a voter would be entirely swept away. Let us see if that be a just measure of reform or not. What was the reason for requiring personal payment of rates? Was it to ensure the collection of the rates; was it that the payment of rates was evidence of good citizenship? Or, rather, was it not this that in 1832, when Parliament was passing the Reform Bill of that year and was casting about how to find the best evidence of who was a household rated at £10 a year, the fact that a man had not only been rated at £10 a year but paid the rates at £10 a year, was taken as evidence, and the best evidence to hand, of proving that he was a £1 ratepaying householder? I submit that that was the real reason why this provision for the payment of rates was introduced into the law. I may remind the House that when the Reform Bill was before Parliament some Amendment having been moved in connection with this matter, Lord John Russell, who was in charge of the Bill in this House on the 3rd of February, 1832, as may be seen from *Hansard*, used these words—

"The Amendment could not be accepted because it was not in accordance with the object of the Bill, which was not to encourage the payment of rates, but to enable £10 householders to enjoy the right of voting for a Member of Parliament."

But we have advanced long stride since then. We have done away with



the £10 occupation franchise—we have got household suffrage; and it is no longer necessary to find out whether a man is rated at £10 and pays rates at £10, or whether he is rated at £6 and pays rates on that valuation. Therefore I say that the time has come now for sweeping away such requirements as that.

MR. JAMES LOWTHER: There is a provision for personal payment in the Reform Bill of 1867.

\*MR. SHIRESS WILL: I was going to deal with 1867 later on; but as the right hon. Gentleman has referred to it, I will deal with it now. I suppose what the right hon. Gentleman alludes to is this. In 1867 there was a Reform Bill before Parliament. At that time a practice prevailed whereby the owners compounded with the overseers and paid the rates for their tenants, and in consideration of their paying them, and thereby saving some trouble to the overseers in the collection of the rates, a small reduction was made to them. I suppose the right hon. Gentleman desires to call my attention to this—that by the Reform Bill of 1867, I think it was by Section seven, Parliament put an end deliberately to that system, and required that in future the rates should be paid by the tenants, providing also that in future, if the owner had agreed to pay the tenant's rates, the tenant should be enabled to deduct the amount. But what happened? Only two years elapsed when Parliament repented of its purpose, and deliberately undid that which it did in 1867. I had not the pleasure of hearing the right hon. Gentleman's (Mr. Stansfeld) opening, and therefore I do not know that he referred to the fact that by the Poor Law Act of 1869 there was, as I say, a deliberate giving up by Parliament of the principle which it stood out for in 1867. Since then no attempt has been made to make personal payment of rates by tenants a necessary qualification. Furthermore, why should payment of rates, as a condition of qualification, be imposed on a man any more than payment of his other debts? Why not his gas and water rates, why not his tailor's bill, and his tradesmen's bills generally? But there is another feature which the

right hon. Gentleman did not deal with, and it is this: you get disqualified if you do not pay your poor rates at a particular date. You do not escape the payment altogether, you have to pay; the law is strong enough to make you, and you will have to do it in the end. Many a working man may find it hard to provide the money to pay the rates at a particular date, and if he does not pay he becomes disqualified. He becomes disqualified, but he has to pay all the same. Therefore, I think it is high time that this disqualification should be removed. The next objection of the right hon. Gentleman was that the Bill swept away the twelve months' residence. What is the present grievance, and on whom does it operate? It is that while, on the one hand, the law says that twelve months' occupation should be necessary, in point of practice much more than twelve months' occupation is necessary. It means sometimes two years, and sometimes as much as two years and a half. But there is another objection to the present law, and that is the case of the removals. The hardship of removal does not fall largely on the rich, who do not often change their residence. Some may carry on their business at one place and have their residence at another. Such people do not often have to remove. It is when you come to the working classes, who have to follow the tide of industry from one place to another, that the hardship of twelve months' occupation most harshly operates. I would suggest this question to the House—Why, when a man who is a voter in a particular district, say the City of London, removes, owing to the exigencies of business, to another place, say Liverpool, should he forfeit his interest in the Imperial Parliament and his right to vote on Imperial questions? I grant there is a distinction between municipal and Imperial affairs, and it is right that when a man ceases to reside in a place he should, at the end of his year of registration, cease to have any interest in its affairs; but does the same rule apply with regard to Imperial matters? Does a man cease to have a stake in the country, or is his interest

in keeping down taxation, in retrenchment, in reform, diminished when he removes from one town to another? Surely this has only to be stated for it to be manifest that such a man does not lose his interest; and why, therefore, should you penalise him because he has to move? It would be much better and much fairer in Imperial matters that when a man removes from one electoral area to another he should be allowed to carry with him his interest in, and vote for, the Imperial Parliament, just as he now carries with him his personal character, his household goods, and all else that is his. I am afraid we cannot expect that this will come in the immediate future, because it is said with some authority that some period of residence must be necessary, and I grant that this is desirable. It is suggested that if you have not some such period as three months, then at election times wire-pullers and persons with improper motives might have an inducement to bring down to some locality immediately before an election a number of persons, by perhaps starting some industry, and thus preventing the opinion of the constituency being fairly expressed. Possibly these fears are remote, but in dealing with this privilege there should be some reasonable protection, and I think the right hon. Gentleman has done wisely in putting in a period of three months. Then what sound objection can there be to the proposal of successive occupation? At present if you move about in the same electoral areas your periods of residence count, but seeing that we are not dealing with municipal but with Imperial matters, and that a man's interest in these does not cease on removal, it is right to apply the same principle which you apply now to successive occupations in the same electoral area to successive occupations in different parts of the country, and the period of three months will be some protection.

(2.0.) MAJOR GENERAL GOLDSWORTHY: By the indulgence of the House may I explain that what I was referring to in my speech was not individuals coming forward and claiming votes to which they were not entitled, but false claims put forward by an agent. That agent put forward a large number

of these false claims, and it was that fact which was the special reason for the observation I made. I could not imagine that any right hon. or hon. Gentleman opposite had any desire to encourage such a procedure.

\*(2.19.) MR. GAINSFORD BRUCE (Finsbury, Holborn): The hon. and learned Gentleman who last spoke on the other side of the House fairly enough admitted that this Bill is not merely a Registration Bill, but that it is a Reform Bill. As he said, he and those who act with him are not ashamed of the word "reform." "Reform," no doubt, is a very taking and a very popular word; but, at the same time, it has been associated with so many doubtful measures and suspicious proposals, that we on this side of the House are inclined to look with some suspicion on measures that are called Reform measures. It is well, however, to remember that this Bill strikes directly at the rating qualification. The hon. and learned Member went back into history so far as 1832, and he said that the rating qualification was then adopted simply in order to fix the limit of the £10 rental. But if he had been logical, I think he would have gone a little farther and said why the limit of £10 rental was fixed. He must know that in the open boroughs, prior to 1832, every householder had a vote quite irrespective of the amount of his rent and the rate which he paid. The £10 limit was fixed because it was considered by those who passed the Reform Bill of 1832 that the persons who paid no rates were not fit to be entrusted with the franchise—they called them pot-wollopers. Therefore they adopted a £10 limit, and said, "We will disfranchise those who have not a house rated at £10," who they considered were quite unworthy of exercising the franchise. I do not know whether they were right or whether they were wrong. I only know that from that time to this in all the measures of Reform that have been passed the rating qualification has been recognised. The right hon. Gentleman told us that he got the clause in the present Bill from the measure proposed by Lord John Russell in 1864, but Lord John Russell's proposals were all unfortunate and ill-omened. The rating

qualification has remained an integral part of our system. It is true, as the hon. and learned Gentleman who last spoke observed, that the personal payment of rates is not insisted upon. A person who occupies a house and pays the rates through the landlord is not disqualified or disfranchised. But it is altogether a novel principle to enfranchise those who pay no rates. It may be that the time has come when we should make some great alteration in the system of qualification for the franchise; but no such measure has ever been adopted unless it has been proposed by a responsible Minister. Then, as to the question of qualification in regard to the electoral area, it is proposed that anyone who resides in a particular constituency for three months shall be entitled to a vote.

MR. STANSFELD: Three months from a particular date.

\*MR. GAINSFORD BRUCE: It may be that the persons have no connection whatever, beyond occupation, with the district. The system of electoral areas may be altogether wrong, but it is a system we have hitherto acted upon. I know that great men like John Stuart Mill and Mr. Hare propounded an elaborate scheme in which they disregarded the electoral area altogether; but, so long as the principle of the electoral area is continued, so long must the person voting in that area have some substantial connection with it. It is idle to say that a man should be entitled to a vote who has resided only three months in it. I am not advocating a qualification of twelve months—that may be too long; but I assert that three months is too short. I do not agree with the statement of the hon. and learned Member that those who move most from constituency to constituency are working men. I believe that working men, on the whole, reside quite as long in one particular district as any other class—certainly in London. It is the class above the working men who form the class of political casuals which this Bill takes under its special patronage. It seems to me that the man who is settled in the district in which he lives, who does not wander from place to

place, is the most likely to act in the interests not only of that district, but of the country generally. Now, I have listened attentively to the speech of the right hon. Gentleman who brought in this Bill, but I could not quite gather the exact complaints he makes against the present system. So far as I could understand, the only officers of whom he makes complaint are the overseers, and they are the very persons with whose functions he does not propose to interfere. No complaint was made against the way in which the revising barrister has acted; he is a person having no political bias, who comes in contact with the overseers and decides questions of law. Then what is the great improvement which is to be made in the present machinery? I am always suspicious when a Reform Bill is introduced from the opposite Benches, because I know what it will amount to. It means that there is to be an army of Inspectors created to be paid out of the rates. Does the right hon. Gentleman really think that a proposal of that kind is one that deserves the consideration of this House or of any part of it?

MR. STANSFELD: I do not propose to appoint any Inspectors.

\*MR. GAINSFORD BRUCE: Not by name. I made a mistake in the word.

MR. STANSFELD: Superintendents.

\*MR. GAINSFORD BRUCE: It matters little what they are called. They are to be appointed by the County Council and to be paid out of the rates. But the overseers, of whom such complaint has been made by the right hon. Gentleman, are to be entrusted with additional duties. They are to take the lodgers' list of voters for the last year and pay domiciliary visits in order to prepare the list for the new year. Fancy the overseers, who, we are told, have hardly sufficient intelligence to discharge their present duties, being entrusted with this delicate task of discovering in this way how many of these people are entitled to be on the list for the next year! Will it be at all practicable? The right hon. Gentleman said this was a simple Bill; but, having done my best to understand it, I venture to say a more complicated

measure was never proposed in this House. What is the meaning of all this machinery? It is to save the voters trouble. If it means that a voter should be put on the list without having to fight for his claim, I agree; but if it means that he should not have the trouble of making a claim, signing his name, and handing in the paper, then I do not agree. If the vote is worth having, I do not understand why a man should be relieved of that small degree of trouble. In many constituencies we know that a great number of the claims sent in are not signed by the persons who are purported to have signed, and that is one reason why something more than three months' occupation should be considered necessary. If a man has only lived in a place for three months it is difficult to identify him or to learn anything about him, but if he has resided there twelve months you can generally procure information. In allowing persons to claim for others there will be this disadvantage—that the possessor of the vote being indebted to others for his vote will be inclined to exercise the franchise at their dictation. Therefore, I object to this Bill, because it strikes at the root of our present system. It may be right or wrong to do without rating qualification, but such a fundamental alteration should only be made by a responsible Minister.

MR. HENEAGE (Great Grimsby): The latter part of the hon. Member's remarks have been devoted to the danger of allowing one person to claim for another the right to vote. That practice is universally engaged in by agents, but it is one that I have always opposed, and one I understand the Bill aims at removing. Party registration agents are nothing more or less than election agents in disguise, and they are the people who are rendering the Corrupt Practices Act a dead letter and utterly inefficient. I should like to turn to some of the remarks made by my right hon. Friend the Member for Thanet (Mr. James Lowther), and also to the observations of the hon. and learned Member opposite, because it seems to me that they dwelt too much on the details of this and previous Reform Bills. The three main principles embodied in this Bill are, to limit

the qualifying period of the voter to the reasonable period always intended; to simplifying the mode of transferring a voter from one register to another after change of residence; and the third is to appoint an official superintendent in the different districts. These are the three leading principles of the Bill, and those who approve of them are, I maintain, bound to vote for the Second Reading of this Bill if it goes to a Division. I maintain that the present nominal qualification of twelve months practically means eighteen months, and in some cases two or even three years. What is desired by the Bill is to limit the period before a man can be put on the register to three months, and then it must be remembered that there is another three months before the register comes into force. I cannot bind myself to the actual dates fixed in the Bill, because I can see instances where the 25th June would be utterly useless, seeing that in agricultural districts the change of residence is on Lady Day. Those matters of detail can, however, be better dealt with at another stage. The real question is the principle. Are we satisfied that a man should have to reside in one place twelve months before he can have his name placed on the register, and have to wait a further period before he can use his vote? I venture to say that such conditions were never intended. The intention of Parliament was that a residence of twelve months should constitute qualification, and that there should be no subsequent delay before the franchise could be exercised. As to successive occupation, I would ask whether it is not positively absurd that a farm labourer or shepherd who changes his place on Lady Day from one farm to another in the same division should be entitled to successive occupation qualification, whereas if he moves out of the division he should be compelled to wait a year and a half before he can have a vote. The very fact that he has been qualified to vote is evidence that there is nothing against his vote, and the mere fact of a man living in another house does not in the slightest degree alter his fitness or diminish his right. That is an alteration which ought, in the interests of many at

*Mr. Gainsford Bruce*



present injured, to be effected. Then, as to the mode of carrying out the transfer, the Bill proposes an official who would act not in the interests of a party, but in the interests of the country and in the interests of the thorough carrying out of the Act. I should like to point out that official registration is to a certain extent known in boroughs, and that we have very few of those disputes which occur in the counties, where the registration agent appears to think that his duty is to remove names from the register rather than to put them on. What we desire is that names should be placed on the register and not erased. In the boroughs the agents have learned wisdom; they have the assistance of the overseer of the poor, and with his aid the lists are generally fairly well made out. In my own borough I do not believe that last year there were half-a-dozen objections made on either side. But in the counties half-a-day is occupied in hearing objections, and in regard to this state of things I think the blame is evenly divided between the two Parties. I cordially support the three main principles of the Bill. There is, however, this great danger, and it is one we should have to look to—that where the residence has been short there is liability to personation at the poll. There is no reason why the limit should not be extended even under this Bill, although when we recollect that there must be three months' residence before a man can claim, and three months afterwards before he can possibly have the vote, the danger of personation will not, perhaps, be acute. I myself should be glad to hear any objection on that point, as the danger is one that should be carefully guarded against in the interests of all parties. Having supported the principles of this Bill last year, and believing that they ought to be carried into effect, I now give my hearty support to the measure.

\*MR. CHARLES PARKER (Perth): One of the reasons weighing most strongly with me in favour of some of the changes proposed by this Bill is that at present we practically have not under our Franchise Act what in theory we profess to have. Much is said of the predominance of the working man, but in practice his voting power

is much restricted by long periods of qualification, and the rating and other conditions. Now this ought not to be a party question. It does not follow that because the voters are working men they will all be found on one side. That is an exploded fallacy of olden days. Surely it would be a wiser thing to amend the franchise, as is proposed by this Bill, and make it correspond with what it professes to be, than to leave it in the present unsatisfactory condition. We were told in former days that in some countries the Constitution was despotism tempered with assassination, and I may say that here we have democracy tempered by registration. Our registration system is such as to limit democracy in a way that I do not believe was deliberately intended by Parliament. On the same principle as I object to promising private soldiers in the Army a shilling a day, and then defrauding them of that shilling by unforeseen deductions, so I object to telling workmen that they are voters, and then leaving them to find out that, by the ordinary and regular working of our registration system, their names are omitted from the register. Reference has been made by hon. Members opposite to difficulties that might arise by the proposed limitation of time for qualifying a man to vote. They spoke as if by this Bill three months would be the usual qualifying period, but that is not correct. Under this Bill a man will have to reside three months in a place before a certain day in the year in order to make his claim. Another three months at least will elapse before the new register can be complete, and there will almost always be a further lapse of time between the completion of the register and the exercise of the franchise at an election. It will, therefore, be seen that, instead of three months, the minimum of time qualifying a man to vote will be six months. I agree with my right hon. Friend as to a danger in Clause 9, which provides that a person who has occupied successively qualifying premises in different electoral areas is to be permitted to vote in the electoral area in which the premises last occupied by him for however short a time are situate. That seems a weak point in the

Bill, and I can conceive that some of those gentlemen whose occupation as registration agents is to be taken from them might find a field for their activity in persuading voters—whenever it may be desirable—to transfer themselves to a different electoral area. I believe that in the United States of America tricks of that kind have been often played; but this is a matter that can be considered very well in Committee. It has been said that it will be quite impossible for us to consider this Bill in Committee this Session, and therefore why commit ourselves to the principle? Now, the principle of this Bill has been for a considerable time under discussion. Reforms in registration were promised by one Party in 1885, but nothing has been done. It appears to me that the time has now come when both political Parties should make up their minds on the principle of this Bill, even if there should not be time to pass it into law. I regret to find that by Clause 2 this Bill does not extend to Scotland, because I am sure it would be welcomed in that country, and is required as much there as it is in England. My hon. Friend the Member for the Montrose Burghs (Mr. Shiress Will), who made an admirable and lucid speech in support of this Bill, sat down without remarking that on the Paper for to-day appears a Bill brought in by himself—the Registration of Voters (Scotland) Bill. I ask that whatever is agreed to be done to-day as regards England may be done also for Scotland, either by introducing the necessary clauses into this Bill, or by allowing to run with it the Bill to which I have referred.

(2.58.) MR. WADDY (Lincolnshire, Brigg): I do not propose to occupy the time of the House at any length, because I am anxious to hear what the Government have to say on this question. It matters very little in the present state of Business what may be the opinions of private Members with regard to this Bill; but if the Government will take it up there is not the slightest reason why it should not be carried through this Session. We have plenty of time before us. We are now only in May, and we have June, July, August, and a good piece of September before us

*Mr. Charles Parker*

with nothing else to do except consider the Local Government Bill for Ireland. Now, I want to say one word with regard to the observations and arguments of the hon. and learned Member for Holborn (Mr. Gainsford Bruce). To say that if a man wants a vote he should go and get it is simple nonsense. In the first place, a vote is not given to him as a prize; it involves a duty as well as a right. In the second place, hundreds and thousands of working men are prevented from going and claiming their votes because they have no time in which to do so. It is all very well for some of us who have but little to do to go and claim our votes; but I say it is simply cruel to turn round and say to a working man, "Why have you not got your vote?" when a half-day or day off means so much less bread for his wife and children, who, under ordinary circumstances, do not get too much. If, on the other hand, it is said he should claim it through someone else, then you have all those difficulties to which reference has already been made. There are three alternatives in this matter. A man may claim the vote for himself, but he has not the time; he may claim it by a person whom he chooses, but there are objections to that; or, as the third alternative, he may claim it by a recognised officer, and that is the suggestion of this Bill. The hon. and learned Member for Holborn has told us that there is the danger of personation connected with the system proposed by this Bill, and that the register would be inaccurate and incomplete. I should like to remind him of the state of things which existed in the very borough he represents at the time he secured his seat. I had the good fortune to be engaged in that election, and my colleagues and myself found upon the register made up so carefully—of course, under the admirable system that now exists—ladies and Members of Parliament and persons who had been dead for years. Well, I have that much faith in my countrymen that I believe whatever may be their political bias, if you once impose upon them a judicial and official duty, they will discharge it in a spirit of fairness; and, therefore, if we had these officials to make up the registers we should not have to deplore the shock-

ing state of things which now prevails. Now, Sir, only one word more, and then I do hope the hon. and learned Gentleman the Solicitor General (Sir E. Clarke) will give us some information as to the view taken by the Government on this matter. I must confess that I do not agree with what has been said about the 9th clause. It was suggested a few moments ago by the last speaker that there was a danger of voters transferring themselves to another Division on the very eve of an election.

An hon. MEMBER: No; on the eve of a registration.

MR. WADDY: Well, if it took place on the eve of a registration no harm would be done; but on the eve of an election were the words used. If anything like wholesale swamping were to take place on the eve of an election, it would be very objectionable indeed; but I do not see how there can be the slightest objection to the transfer of a heap of people from one Division to another on the eve of a registration, because if they claim for one Division they will come off the other. They cannot be on both registers.

MR. JAMES LOWTHER: Why not?

MR. WADDY: Because they could not be occupiers in both Divisions.

MR. JAMES LOWTHER: I do not see it.

MR. WADDY: Then I am astonished that the penetration of the right hon. Gentleman, to which we are all accustomed, fails him for once. I do not see why a man should not change from one place to another on the eve of a registration if he pleases. It is exactly what was done under the sanction of the great Constitutional Party in Liverpool not very long ago, when three hundred voters were transferred from one Division to another. I venture to think that the difficulty is one which could be got rid of, if it existed, in the simplest way, but it does not in reality exist. I do hope that the broad principle of this Bill of enfranchisement as against disfranchisement will be accepted by the House, and that all those who desire to see the population of the country exercising their votes as far as possible will vote for the Second Reading of this measure.

\*(3.10.) MR. BOUSFIELD (Hackney, N.): It has been insinuated from the other side that we oppose the Second Reading of this Bill with the object, if possible, of keeping down the working class vote. I venture to disclaim any such intention. As a matter of fact, many of us who sit on this side of the House depend for our seats on that vote. We have as much confidence in the working classes as hon. Gentlemen on the other side of the House, and we are just as anxious as they are that this class should give their opinions clearly and truly in every election. We find from experience that as the working classes move steadily towards the big towns, and as the spread of education becomes greater day by day, they more and more gravitate towards us, and we have, therefore, not the slightest wish to keep down the working class vote. It has been said that there is a particular principle involved in this Bill, but I think there need be very little discussion about that. The question is really one of machinery. It is whether the machinery proposed by the Bill is suitable to give effect to the objects which most of us on this side of the House desire in common with hon. Gentlemen on the other side? We feel it is important that at every election we should have as far as possible what is the true voice of the country. It seems to me that three questions are involved in this Bill: What shall be the qualification of the voter? I think the word is not used now in the sense in which it was used in the olden time. One hon. Member spoke as if residence for a certain time in itself, with regard to the local interests it creates, ought to be held to be a necessary qualification. I venture to dissent from that view. The object of having a residential qualification is simply and solely for business purposes. The practical question in putting a man on the register is to see that personation and offences of that kind shall be rendered impossible. What I should like to see accomplished, if it were possible, is to have the register made out up to the morning of the election, so that every man who is entitled could give his vote. That is an ideal which I suppose we

are all agreed upon, but of course it is not practicable. There are the questions of preparing and getting out the register and providing against personation, and for these matters some time must necessarily be allowed. We know that we are engaged on what is only an academic Debate; and we also know that if the Government had had time they would have liked to take up this matter and thoroughly thrash out the question of what is the best machinery for the purpose. But there are, we know, many more important matters than this to be dealt with. For instance, the question of the illiterate voter, upon which the House gave a decided expression of opinion the other day, is very much more important than this. The second point is, Where shall a man vote? That is a question of convenience, and is not, after all, a question of residential qualification. Suppose a man moves from one place to another he can only vote for the place where he is on the register. No doubt that is a matter of grave importance to the out-voters, and it is also, sometimes, a ground of temptation to candidates. In a recent election I had a letter from a man who had left the Division but was still on the register and was entitled to vote, but it would put him, he said, to considerable expense to come to the poll and give his vote because of the distance he lived away. Of course I could not help him, and I rather suspect that that letter came from a Radical who wanted to trap me; and while he received, I hope, my sympathy, he did not get his cash. But, of course, this is a question of convenience, and I think that it is desirable that a man's voting power should be transferred as quickly as possible from the place where the man lived to the place where he lives. The third question is, Who shall put him on the register? On this point I sympathise to a large extent with what has been said on the other side; for though I have never had any difficulty myself about being put on the register, I know that the working man must either look very sharply after the matter himself or have it very sharply looked after for him, or he is in danger of having his name omitted. I shall not, however, commit myself to the machinery for the purpose provided in the Bill with-

out further consideration. But looking at the Bill as expressing the principle that as far as possible it is desirable to make the true voice of the constituencies heard, I shall support the Second Reading, without, however, in any way committing myself as to the details by which that principle is to be secured.

\*(3.20.) MR. EDWARD HOLDEN (Walsall): As one who has recently come from the electors, I may say that there is no greater grievance amongst the electors than the way the registers are prepared. In the election to which I refer the opinion was expressed over and over again that great alterations were necessary in the Registration Laws, and nothing drew the cheers sooner from the large meetings which were held than the statement that it should be as easy to get on the register as on the rate-book. The Home Secretary is about to go to Birmingham, and if he will say the same thing to the people there I think he will find that the Town Hall will ring with cheers. He knows well that he dare not oppose this Bill in his own constituency. I should be very glad if the Government would oppose this Bill; but I am afraid they are too cute to take up that position at this time. This is a very good Bill, and I hope the promoters will be able to get it through Committee. I have been behind the scenes in registration matters for about thirty years, and I believe there is nothing more corrupt or unjust than the present system. It not infrequently happens that where it does not suit either party to put a man on the register, he is kept off for years. The registration agents go round and ask people what politics they profess, and if they happen to profess the same politics as the agent he puts them on the register, and if they do not he conceals his own politics and leads the men to believe that he will get them put on, but takes no further action, and thus, in many cases, succeeds in deceiving and thereby keeping qualified persons off the register. Not only is that the case, but sometimes you find a man on the register one year, and the next, though his qualification has not been altered and his rates duly paid, he is off. I do not say that one party is any

*Mr. Bousfield*



worse in this matter than the other. I hope the right hon. Gentleman (Mr. Stansfeld) will take the Bill to a Division, and cast the responsibility of rejecting the measure on those who vote against it. We do not care whether the Government oppose the Bill or not, and I am sure it will make a popular appeal at the next Election to that large class upon whom at present the Registration Laws press so heavily. Respecting the illiterate vote that we have heard so much about, the electors are quite indifferent how that question is settled.

(3.23.) MR. TIMOTHY SULLIVAN (Dublin, College Green) : This is eminently a Bill to be dealt with in the Committee stage, and I am pleased to notice that, so far as the principle is concerned, there is an almost entire agreement on both sides of the House. At present the Registration Laws are a temptation and an encouragement to fraud, and that system is thoroughly unsound and rotten from top to bottom. The registers are stuffed by energetic agents unless those agents are watched and checked by equally energetic agents on the other side. The hon. Member for Hammersmith (Major General Goldsworthy) said that a short time ago an attempt to put on the register in his constituency a considerable number of fraudulent votes was only frustrated by the watchfulness and energetic action of a very capable election agent. But there are not capable election agents in all the constituencies. It is not every Member of Parliament who can afford to engage and maintain a very competent election agent, and the result is that the registers are stuffed and frauds are committed on the electors. I cannot see what interest any Party can have in wishing to continue a fraudulent system which is a temptation and an encouragement to dishonesty, and must be demoralising to all who are concerned in the working of it. I say it is absurd, and ridiculous, and scandalous to see the way in which questions are fought out at the Registration Sessions by the agents of the opposing parties with the object of stuffing or depleting the register as their wishes may incline. It should be the business of some

public officer responsible to the State to do this work, and to do it satisfactorily. I am perfectly convinced that it would work satisfactorily, and would be approved of by Members of all shades of political opinion, and by the country at large. That being so, I fail to see why there should be any division of opinion on the Second Reading of the measure which is now before the House, and the details can be talked about in Committee. We have been told that this Bill will not get into Committee; but that is no reason why we should not take the Second Reading, because we have heard of other measures—big measures—which have passed the Second Reading, but which will not get into Committee. As there seems to be a universal and unanimous opinion in favour of this Bill, I hope the Second Reading will be pressed, and then it can take its chance of getting into Committee.

\*(3.28.) MR. BARTLEY (Islington, N.) : There is no doubt that the present system of registration is not everything that one could desire, and there is a great deal of room for improvement in many particulars. Many details are involved in this Bill with respect to which I should not object to reasonable alterations; but this Bill is a very large and formidable one, having some very sweeping consequences, and, therefore, requires to be looked at from every standpoint. There are, to my mind, three leading features in this Bill: First, it would alter very materially the qualification of the voter. That is a very sweeping alteration; and though there is possibly much that may be said both for and against the proposition, still, that is a very large reform, which would very materially alter the register. The second question is the proposal to very much shorten the period of qualification. The hon. Gentleman behind me (Mr. Bousfield) said that, theoretically, the idea should be to make up the register to the very morning of the election. When we live in another world that may be the system of election, but under our imperfect conditions that could not be carried out. It is all very well to have a high ideal and a noble aim, but we

must look at this rough world as we find it, and I say that a period of three months does not give sufficient time to prepare the registers. There is a lot of work to be done in their preparation, and in my view a measure which only allows three months is so far impracticable that it need not be entertained by the House. Then comes what I suppose is really the main point of the Bill—the registration officer. The theory, as I understand it, is that we should do away with private registration agents, and have an official registration agent, who would do his duty impartially. Looking through the clauses I turn to London, in which I am largely interested, as I represent a division of that city. I find that the registration officer for London is to be appointed by the London County Council. The London County Council is a political body, and yet that political body is to appoint my registration agent. I should look with grave suspicion and objection on such an appointment as that, for I should strongly object to my agent being appointed by a party whose politics were opposed to my own. That is not a fair way of appointing registration agents. But if the measure were carried into law, would it really do away with private registration agents? It is proposed to appoint an official agent, but will it be maintained that both parties are to be content with that agent? Suppose he is partial and acts improperly, which is conceivable, to one side or the other, we should want an agent to look after him. I believe at present it is the duty of somebody to put voters on the list, and we only employ agents to see that somebody does his duty. It is said these agents often put on the names of those who have no right to vote, but I am sure that is not done to any great extent. If an official agent were appointed, I should insist on having an agent to look after my interests, especially if he were appointed by a political body diametrically opposed to me in politics and doing all it can to oust me from my present constituency. There is no penalty provided in the Bill for neglect of duty on the part of the official. If he is corrupt or leaves

a large number of names off the list, there are no means of bringing him to book, and an election might take place on an imperfect or unfair register. I do not agree that the ideal registration system is such as that proposed by the hon. Member behind me. All these measures are necessary because people do not do their own duty. It should be the duty of everybody to put himself on the list. If the franchise were felt to be the duty and responsibility that it really is, everybody entitled to vote would demand to have his name put on the register. These measures assist men to be indolent, and I think we should try more to throw the responsibility on the individual and simplify the machinery to that end, instead of appointing another army of official agents. I have always felt keenly that some reform is necessary in the Registration Laws of this country, but this measure is so crude and drastic, and so sweeping, that I cannot support the Second Reading, especially as it is admitted, even by its supporters, that almost every detail in the Bill would have to be altered in Committee.

(3.37.) MR. CHANCE (Kilkenny, S.): The hon. Gentleman who has just sat down seems to be under a misapprehension as to the duties of the registration agent under this Bill. He is not intended to render unnecessary the employment of Party agents, but simply to see that the overseers do their duty. The hon. Gentleman objects to the appointment of the agent by the London County Council; but does not appear to object to the present system by which registration is left in the hands of the overseers, who are appointed by the Vestries. I do not know that Vestries have divested themselves of political feelings any more than the County Council. I look upon this Bill as one intended to get rid of a large number of the harassing and absurd technicalities which make the franchise at present rather a subject of mockery than of serious consideration. The alteration of the period of residence to three months is undoubtedly a reasonable one, and it means that a man must be in a constituency eight or ten months before he can vote, because the register made

*Mr. Bartley*

in July does not come into operation till November. It seems to me that we are year by year drifting away from the principle of locality into recognition of the sound principle that the right to vote, which involves an Imperial duty, is not dependent on local circumstances or peculiar to any locality, but is a right in every sense Imperial. It therefore seems to me that we should consider whether we should not cut down the qualification to manhood qualification. There is an important clause which has been overlooked up to the present, Clause 21. At present a person on the list under any special qualification loses his vote if he does not possess that precise qualification, though he may possess half a dozen others, and the law of household suffrage is in such a condition of confusion, muddle, and scholastic refinement that it is in many cases absolutely impossible to decide whether a person is a householder or a lodger. A lodger who, during the qualifying period, changes his qualification by buying the house in which he lives loses his vote for that year. That is so absurd and iniquitous that it is sufficient in itself to condemn the present system. I warn the House that what we have to deal with now are not merely difficulties of registration and technical machinery, but difficulties going to the essence and root of the franchise, and I regret that it is not proposed to take a bold step and get rid of these shadowy and absurd qualifications, and come down straightforwardly and at once to manhood suffrage. It must come sooner or later, and all the machinery Bills in the world will not avoid the difficulties now attaching to the franchise until you get rid of the distinctions between lodgers, rated occupiers, householders, and others. There is another point in which I think the Bill is defective. While it provides that successive occupation of different sets of premises may qualify a man, it does not provide for cases where accompanying the change of residence there is a change of qualification, as where a lodger becomes a householder. This is a Bill which does something to throw light on the present absurdi-

ties of the law of registration, and for that reason I think it would be well worth consideration in Committee, and I, therefore, hope the House will pass the Second Reading.

(3.45.) MR. WEBSTER (St. Pancras, E.): I quite acknowledge that under the present law there are anomalies in registration that might be amended and technicalities that might be done away with; but, though I have not had time to very carefully examine the Bill, I think it is too drastic for us to be able to consider it at all fairly in this Parliament. In the first place, it appears to take the electoral power away from the resident population, and to put it as far as possible in the hands of the migratory and floating population. I think the term of three months is too short for qualification. In some London constituencies the fluctuations in the population amount to twenty-five or thirty per cent., and if the period were only three months I fear there would be serious jerrymandering in London. I look upon the proposed appointment of the registration superintendent by the London County Council with great suspicion, as that Council is a political body—a fact clearly proved by their having appointed their Aldermen entirely from one political Party. It would be the same with the registration agents. They would place in every district in London an individual who would be nothing more than a first-rate electioneering agent for their own ends. It is desirable to have an official agent in the various districts, but I would have him appointed by the right hon. Member for Midlothian, the Lord Chancellor, a Committee of Judges, or by any authority in the State than by the London County Council. The Bill takes away the property qualification, and allows people to be on the register without paying any rates and taxes. It has always been a principle of the Constitution that representation and taxation go together. And I would venture to suggest that any alteration of that principle should be straightforwardly done by a Reform Bill, and not in a Bill of this kind. The best system of registration would be that under which each voter came to claim his vote

himself. In New York everybody desiring to vote at a coming election must, some time before the date of the election, go to an office and claim his vote. I cannot see why that system should not be applied in the United Kingdom. If the superintendent had to investigate lodger claims he would have in his hands a vast amount of patronage in the appointment of a large number of individuals of the same political faith as himself, who would go round the districts, not so much to trace the lodgers as to induce the voters to vote for the Party to which he belonged. I look upon this Bill as one which ought to be regarded with very great suspicion. No doubt the time is nearly ripe when this question of registration should be dealt with by a well-considered Registration Bill. I am prepared to give my support to a Bill of that kind, which will alter our present system of registration without altering it in the way proposed by this Bill.

\*(3.51.) MR. FRANCIS STEVENSON (Suffolk, Eye): I think that, after the speeches which we have just listened to from that side of the House, surely it is time we should ask for a little Governmental guidance in the matter, because there have been the most contrary opinions expressed in different quarters. Every speech which has been delivered on the other side has been delivered, it will be observed also, either by London Members or by Members who represent essentially urban constituencies. Surely we are entitled to have some utterance from the supporters of the Government, or some Member for the Government who is more deeply in touch with the country districts, as to what line the Government propose to adopt with regard to the measure. A good deal has been said in the course of this Debate as to what is the real principle of the Bill. It has been argued that the principle of the Bill was contained in the fourth clause, which reduces the qualifying period from its present duration to the period of three months. That is certainly a provision of great importance, but I venture to think it is not the real principle of the Bill, I venture to think that the real principle of the

Bill will be found in Clause 3, which provides that—

“So much of any Act as requires any person to be rated, or requires any rate or assessed taxes to be paid, for the purpose of entitling any person to be qualified as a Parliamentary elector, shall be repealed.”

If my view of the principle of this Bill be correct, then the reduction of the qualifying period to three months, though of great importance from a practical point of view, is really of less importance than the recognition of the principle in Clause 3—namely, that, after all, a man should be entitled to vote, not in consequence of what he has got, but in consequence of what he is. We have got the recognition of the principle in this Bill, though limited in degree, and with safeguards against fraud and personation, that a man is entitled to have the vote conferred on him, not on account of the property he possesses, but on account of the personality of the man; and that seems to me to constitute the main and cardinal principle of the Bill. What is contained in Clause 4 with regard to the reduction of the qualifying period to three months is a provision of great practical importance, but after all it is not, as I have said, the main principle of the Bill. But even that would help, perhaps more than anything else, to remedy the grievance which exists in many cases. As to what has been said as to the machinery of the Bill, surely that is a matter which might very well be discussed when the Committee stage is reached. Hon. Members have said that they have great confidence in the Committee stage of a Bill. We have not got to that stage of this Bill yet, but I think hon. Members ought to put as much confidence in the Committee stage of this Bill as in the Committee stage of the Irish Local Government Bill. If they are prepared to do that, as was indicated to some extent by the hon. Member for North Islington, I should ask the Solicitor General whether he is prepared to assent to the general principle of the Bill, and to give such facilities as would enable real and effective progress to be made with the present measure. I decline altogether to enter

*Mr. Webster*



into the details of the present measure at this stage. It appears to me that what was said with regard to Clause 9 would have been amply met if the principle which was embodied in the Bill of the right hon. Gentleman the Member for Bradford (Mr. Shaw Lefevre) and which was rejected a few days ago, not on the real and straight issue but on a side issue, had been adopted. But even if that were not the case, surely it might be very fairly argued that any error in fact with regard to that clause might be fully and satisfactorily met when the Bill goes into Committee. On these grounds I venture to make an appeal to the Home Secretary or the Solicitor General to give us some words of advice and counsel in the matter, and to express what course the Government intend to adopt with regard to this measure.

(4.1.) THE SOLICITOR GENERAL (Sir E. CLARKE, Plymouth): I do not desire to inconvenience the House by postponing the observations which I intend to make on this Bill too long. Though I cannot pretend to give any counsel or advice to the hon. Gentleman opposite to guide his action in the matter, yet I am prepared to discuss the questions which have been raised in the course of this very interesting discussion. If I accepted the statement of the hon. Gentleman who has just spoken that the main and cardinal principle of the Bill was to be found in this 3rd Clause, which repeals all provisions now in force as to the payment of rates—if I accepted that as a correct definition, I should certainly vote against it. But the hon. Member who stated that is not one of those hon. Members whose names appear on the back of the Bill. At the beginning of this Debate the purpose and object of the Bill was explained in a very moderate and a very interesting speech by the right hon. Gentleman (Mr. Stansfeld), who has taken for years a very great interest in registration questions, and who has on more than one occasion offered elaborate suggestions to the House on the subject; and in this Bill he claims to have given to the

House, and I see that he has offered to the House, a very carefully-revised version of the proposals as regards registration, which he had previously made. In his opening speech the right hon. Gentleman said this was not a Franchise Bill. He said he did not alter the franchise; he proposed to alter the franchise only so far as was necessary to carry out the purpose of improving the registration; and he also truly said—he only did justice to many Members on this side of the House in saying—that he was sure the desire to improve our system of registration was not confined to his own side of the House. All the Members who have spoken have, I think, acknowledged that our present system of registration is not in a satisfactory condition, and that it is desirable that an attempt should be made, and should early be made, to remedy certain defects in our registration proceedings, which, at the present time, unfortunately allow many voters to be off the register who ought to be upon it; and they do recognise that it creates a feeling of soreness and dissatisfaction which it is the duty of this House to endeavour to remove. The proposals of this Bill, so far as they affect the franchise, are proposals which the Government would not make, and would not accept. I think I shall be able to show to the House, when I examine these proposals, that they are not essential to the Bill. The Bill is one with regard to registration; and applying exactly the line of the right hon. Gentleman who proposes this Bill, I shall examine some of its provisions and state my views with regard to them. The Government has felt, and it has been acknowledged by all who have experience in the matter, that there are defects in our registration system which it is desirable to remedy; and I believe the Government would have offered to the House before the present year proposals for amending the law with regard to registration but for a consideration, which hon. Members I think will very clearly see the weight of when they notice the course of the discussion this afternoon. If the Government had offered to the House proposals touching registration only, it is perfectly clear

that the Bill in which these proposals were contained would have been made the subject of additional proposals involving large and grave Constitutional changes; and the introduction of such a Bill would by no means be a simple matter of dealing with registration machinery. The speech of the hon. Member for Kilkenny, made to the House just now, will illustrate that to hon. Members, because his proposal is a very short and trenchant one. He said, "You say you have got a great many difficulties and unsatisfactory matters as regards the registration laws; and they can only be got rid of by having manhood suffrage." And I know there is a body of Gentlemen in this House who, when we were discussing a somewhat cognate subject the other day, made their opinions vociferously known that they are in favour of manhood suffrage, and they would seize at once—and I cannot say that their action would not be legitimate—they would seize at once the opportunity of a Registration Bill in order to carry their proposals into effect. But we are here dealing this afternoon with a purely academic discussion. One or two hon. Members expressed a sanguine hope that this Bill, if the Second Reading be accepted by the House, might be carried through Committee and carried into law during the present Session of Parliament. By the terms of the Bill I do not think the right hon. Gentleman has any view in consonance with that hope. This Bill proposes that certain alterations should be made in the law with regard to registration, and the date at which these alterations would take place according to the terms of the Bill would be the 1st of June, 1893; and it is not, I think, quite reasonable to imagine that the House would deal with any very great expenditure of time or care with proposals which clearly cannot be, or would not be, carried forward so as to become law in the course of the present Session. But that being so, I confess I think it is advantageous to both sides of the House that we should have had an opportunity of discussing the subject in reference to proposals deliberately made, and made not only with the authority of the right hon. Gentleman himself, who, as I say, has

*Sir E. Clarke*

given much study to the subject, but with the support of many of his colleagues on the front Opposition Bench. It is very desirable that these matters should be fully discussed. As to the proposals that are now before the House of Commons, generally speaking, they touch two matters: they touch matters of registration, and they touch matters of franchise; but as the right hon. Gentleman said, the matters of franchise have been only introduced as consequent upon, and as necessary to carry out the registration arrangements which have been proposed in this Bill. I think I shall show the House that these franchise proposals are not essential to an alteration of the law with regard to registration; and I say at once that although I am prepared to meet with a negative any proposals which were simply for the repeal of the provisions as to the payment of rates, or for the reduction of the qualifying period to a term of only three months, I will show hon. Members, I think, how the two matters of registration and franchise appear to me to be not necessarily involved. With regard to the period of qualification, it is perfectly true that there are many cases now where persons clearly belonging to the class to which Parliament has given the privilege of the franchise are unable to procure the opportunity of exercising the franchise by reason of the difficulties of the registration law. The case has been put, and truly put, that under the present state of the law it may be, in an extreme case, two and a half years before a man, who is supposed to be qualified by a twelve months' residence—it may be two and a half years after the beginning of his twelve months' qualification period before he actually comes upon the register, so as to give his vote; and that, of course, is a hardship. The proposal of this Bill would not do away with the hardship. It would, I take it, reduce that hardship; but under the present Bill, and under the proposal of the right hon. Gentleman, if a man came into occupation of his house on the 1st of April instead of the 25th of March, then he could not get upon the register until the registration of the year after that, and he therefore might be nearly a year and

five months, although three months was the qualifying period, before he could exercise the franchise. I do not say that that difficulty can be wholly avoided. The right hon. Gentleman will remember that in the Bill which he brought forward four years ago he endeavoured to deal with that difficulty, and to deal with it by a system which has been much discussed by those who are anxious to amend the law of registration—that is, by providing for supplemental registers from time to time in the course of a year. The right hon. Gentleman's Bill of 1888 made provision for a register being formed at four different periods of the year, and brought into operation; and that would, but for an objection which is a serious one, be, to my thinking, a much better solution of the difficulty, because you could thus retain, what I think is very valuable, the requirement of twelve months' continuous qualification, and at the same time you could secure that within three months of the end of that year the person should get upon the register. The real difficulty with regard to that is its enormous expense. I think I am right; I have the Bill of 1888 before me. However, that was the principle. I fully agree that the hardship which has been discussed is one which Parliament ought to deal with, and my own view is that, directly you have got a man belonging to the class entitled to the privilege of a vote, it should be made as easy as possible for his name to come upon the list. If possible it should be by the action of a public officer, because it is a public matter that his name should be put upon the list, and when it is once there it should not be allowed to disappear from that list as long as he continues to hold the qualification which first put it there. But the hardship which is so much felt of having to wait sometimes for a year and a half or two years, or even two years and a half, before actually exercising the franchise is to my thinking of much less hardship than the one which now exists if a man changes his qualification from one constituency to another, and therefore loses again for this considerable time the right to exercise a vote. My own view is that

the losing of the vote because a man moves from one constituency to another constituency is a much more serious hardship than the other. Some Members of the House will remember that in 1884, when we were dealing with a Reform Bill, I spoke and voted in favour of the proposal that successive occupation should be allowed in London not only as it now is, within the area of the divisions of an old Parliamentary borough, but that it should be allowed as between one Parliamentary borough and another. I could not see why a man who had lived in Bermondsey and went to live at Rotherhithe should be allowed to vote with successive occupations, whereas the man who lived at Clapham and went to live at Southwark should not. I think that is a matter in which an amendment should be made. But there are alternative proposals for dealing with this difficulty, and as far as I know there are only these two alternatives, with the exception of these supplemental lists. One is that you should shorten the period of residence; the other is that you should have successive occupation enabling a man to carry from one constituency to another the title to give a vote. My own individual opinion always was in favour of the second proposal, and I am not pressed by the consideration of the local character of the representation which has been put so strongly to-day. I think the greater number of those who have dealt with the question have been of opinion that there should be some reduction in the term of residence, but certainly not so short a term as three months, and certainly not so short a term as three months coupled with a successive occupation. This Bill is a Bill of detail. It is impossible to say there is any special principle to which one commits oneself in voting either for or against such a Bill. But the objection I have to the special mode of the right hon. Gentleman is that if you have a qualifying period of three months—three months from March to June—and you allow within the limit of these three months' successive occupation, you have a man who comes into the constituency on the 14th June, the qualifying period of the three months expiring

on the 24th June, perhaps with a certificate of voting power from the other constituency, and he comes immediately upon that electoral list. I confess that that would be a most serious temptation to manipulating constituencies. One knows how very narrow indeed the majorities are in a great many towns. I will give just one instance of what might happen under the Bill of the right hon. Gentleman if it were accepted in all its details. I take such a place as Grantham. I find that in Grantham there was a majority at the last Election of thirty votes. Grantham is a place which has large industrial works and a great many men moving about from time to time and coming in to live in the constituency. It is said that the bringing in of voters for the purpose of swamping a constituency is not likely to be done because it must be done not immediately before an Election, but immediately before the registration. But suppose you have, as you often have, a case where a new register is established for the purpose of an Election. You then get the register and the Election practically at the same time. It is pretty well known that an Election must take place in the course of the next twelve months at all events. Suppose we are dealing with this case of Grantham under the right hon. Gentleman's Bill. Fifty or a hundred workmen might be brought into Grantham a fortnight before the 24th June. They would bring with them their certificates of voting capacity from the other constituency, and by living that fortnight up to the 24th June they would be entitled to be on the register for Grantham and to vote upon that register at any election which would take place between 1st November next and the following 1st November, although they might have gone away from Grantham within a week after the 24th June had passed. That is a serious danger, the reality of which would be shown at once if we were dealing with a Bill of this kind in a Select Committee and had the opportunity of getting statistics as to the extent to which a migratory population come into or out of a particular constituency. And when you are dealing with constituencies of a different character—rural constituencies, for in-

*Sir E. Clarke*

stance—which are affected by particular times of the year and particular procedure in regard to husbandry—with regard to their population it will be seen that this is a very serious difficulty. So I do not think it is desirable to combine a shortened period of qualification and successive occupation, and I hope that whenever this House should find it necessary to deal practically with this matter it will either content itself with some shortening of the period of twelve months—not certainly taking it down to three months—without successive occupation, or that it will deal with the question of successive occupation in another way. The other part of the Bill is the part which relates to the processes of registration and the authorities by which the processes of registration are to be carried out; and in its own admirable and deliberate way the House has hesitated very long before it dealt with this matter. In 1868 there was a Report of a Committee of this House upon borough registration, and that Committee declared that the present system was unsatisfactory, because important and difficult duties were imposed upon unpaid overseers, who were constantly changing, and they recommended the adoption of the Scotch system. Parliament has not been in a hurry, even when it had the official leadership of those with whom the right hon. Gentleman is associated, to carry out that principle of registration. But the right hon. Gentleman in his speech accepted the Scotch system, and suggested that that was a wise system. There is a very important question to be raised with regard to that, which, again, is entirely a question of detail. The right hon. Gentleman has said it would be undesirable to oust the overseers from their present duties, because it would involve a serious interference with a long-established practice, and evidently it is so large a proposal that he shrinks from making it. At the same time, whenever this matter has to be practically dealt with, I think Parliament will have to consider very carefully what is the present expense of the system of registration as it is administered. The Bill of the



right hon. Gentleman certainly appears to throw a very heavy burden upon localities in this country, because he proposes that in every county there shall be a registration superintendent. By-the-bye, that is the case now. The clerk of the County Council has duties connected with the registration of a county. But the right hon. Gentleman also makes this rather serious proposal, that in every parish where there is a population of over five hundred, and where with the exception of the overseer there is no Vestry clerk or other officer whose duty it is to make out the lists of Parliamentary voters therein, the Vestry shall, on or before the 1st May in each year, appoint an officer, to be called the registration assistant, who is to do the work. Now a parish of five hundred inhabitants means sixty or seventy voters, and this is a proposal that in every parish of the country where there are sixty or seventy Parliamentary voters a public officer is to be appointed. If the Vestry do not appoint him, the Guardians of Unions are to appoint him, and he is to be paid such a salary out of the poor rate as may be fixed by the Vestry or the Guardians, as the case may be. I do not think the right hon. Gentleman could have carefully considered how very large a burden would be thrown upon the parish by the appointment of a regular registration officer to deal with registration work in every parish where you have over sixty or seventy voters. Of course, this question of the expense has two sides, and I should very much like to see a careful investigation by a Committee of this House of the cost to the country in one way or another of the present system of registration. For the purpose of dealing practically with this question I have endeavoured to get some information upon the subject of the expenses of registration, which, of course, apart from the expenses of revision, are the expenses of the overseers who have to make out the lists. I obtained some time ago from a friend of mine who has great experience a return of certain parishes, town parishes and county parishes, and of the amounts which were allowed to the overseers by the revising barrister in respect of the preparation

of the lists. The amounts varied very much. I had an instance of one parish of two hundred and fifty inhabitants where the amount allowed to the overseer was £28, and in another parish, where there were two hundred and forty inhabitants, the amount allowed was only ten guineas. The amounts worked out in the boroughs to a cost of £28 per thousand electors; and in country parishes to £52 per thousand. I cannot say that the parishes which were given me could be taken as a governing rule as to the expenditure all over, but this is a very serious matter to consider. There are in England alone 4,500,000 voters, and applying the figures I was able to get to the number of these voters, I think that the lowest amount at which the expenditure of localities upon registration through the overseers can at present be put is £135,000, or £140,000 a year. We all know perfectly well the system that is adopted, though it costs that, is so unsatisfactory that the political Parties in each constituency spend a very large sum on registration. My own view is that it would be fair to take as an average that in every constituency in England, taking the two political Parties together, £300 a year is spent upon registration. That gives just the same result from private funds as we have already had from public funds, and makes £270,000 a year spent on a more or less imperfect system of registration. That is not at all satisfactory. The money might be spent in a much better way. A great deal of the money spent in Party registration is mischievously spent, and I am glad to recognise that one provision in this Bill would be a very valuable provision as reducing the amount spent in this matter. I think it is a mistake to say that Party election agents as a rule are working upon the lines which have been suggested this afternoon. The hon. Member for Walsall gave us interesting revelations of the way in which, according to him, Liberal agents carry on their practice.

MR. EDWARD HOLDEN: And Conservatives, too, I said.

SIR E. CLARKE: The contention was made for the Liberals; the imputation

was made upon the Conservatives, but we do not accept it. A great deal of the work they have to do is to clear the list of the names of persons who have died. And I am very glad indeed to see a proposal in this Bill to make the overseers make returns of deaths four times in the year, in a way which would enable the register to be kept much better than it is now. But the right hon. Gentleman says this alteration of registration and of qualification requires the abolition of the provision regarding the payment of rates. I cannot see why. If it does require the omission of that, then it would seem to me a fatal objection to his proposal. It is true that if you have twelve months you may require the payment of rates up to the 9th of January before the end of the qualifying period; and if you make the period three months you would have to alter the period for the payment of rates. It seems to me it is most important for the sake of purity of the register, and for the sake of its completeness, that we should stand by the system which has been here adopted, and is adopted in Scotland, with results that are most excellent—namely, that the record from which the names of voters is taken should be a record which is not only connected with Parliamentary and political purposes, but is connected also with purposes of public and fiscal administration. I believe that secures the protection of the purity of the Parliamentary register, and at the same time secures that completeness of the register which is wanted for public purposes. If you had to make a Parliamentary register which was not connected with liability to rating or for public purposes, I think that register would be much more subject to being tampered with by persons having political objects. I hope I have put before the House considerations which are of much importance in regard to this matter, and I think the House will see that, holding these views, and speaking on behalf of a Government in sympathy with the desire that there should be amendment of the Registration Law which will make more complete our register, and will make it more certain that a man who *has a qualification* should be on the

*Sir E. Clarke*

register early, and should be kept on this register regularly, there would be no excuse in the Government inviting the House to meet with hostility the proposal which the right hon. Gentleman makes. He has recognised quite fairly, in the speech in which he opened this Debate, that the proposals he was making were proposals not of a Party character. My hon. Friend who moved the rejection of the Bill, and whom I trust will not now think it necessary to insist upon his Motion, had, however, a suspicion that the right hon. Gentleman who proposed the Bill was inspired by astute wire-pullers, and that there was some reason for thinking that the Bill had been devised to give a Party advantage, although he did not indicate the way in which the advantage would be given in greater measure to any other Party than our own. However, I do not think this is a matter of Party advantage. My own belief is, and always has been, that the real object of both Parties ought to be to see that persons who belong to the class which is entitled to the franchise are as far as possible put upon the register and placed there with as little as trouble to themselves as can be arranged. We want to get the names of all qualified people on a great national register, and then to free them from difficulties arising simply in consequence of the complexity of Election Laws.

SIR W. HARCOURT (Derby): I think both sides of the House will be satisfied with the extremely moderate speech we have heard from the Solicitor General. I do not myself see how this is to be considered a Party question unless there were any Party that should profess to have interest in the keeping off a certain part of the people of this country who are entitled to be on the register. I should imagine that no Party would make that assertion or that profession. I quite agree with the Solicitor General that the main object of this Bill is to remove a great grievance, which operates extensively, and that is that a class of people whose employment takes them from one habitation to another should in consequence of that change lose their

votes. There are hundreds and thousands of men in this country who at the next Election are entitled to vote just as much as those on the register, and yet will be not able to vote. The Solicitor General gave the instance of Grantham, where, under certain contingencies, it was anticipated that political operations might take place. But I will take the case of a place where hundreds of men are disfranchised by the mere fact of the change of their employment. In my neighbourhood there have been established great railway works, and many hundreds of those men are brought to those works, men whom everybody will admit are as fit to have a vote as—perhaps fitter than—many of those on the register. What is the effect? The effect is that these men who have a perfectly good qualification where they have resided, will, not through any act of their own, but by change of the employment of the Railway Company to another place, lose their right to vote, it may be for a year, a year and a half, or in extreme cases for two and a half years. That is a monstrous injustice, and it is an injustice which is not a rare one, but one which is taking place every day to greater or less extent throughout the country. We all know, too, the increased trouble and expense, in consequence of that state of things, in finding out what are called “removals,” and the great difficulty there is in bringing men who have gone elsewhere and not obtained a vote to the place they have left, and where they are entitled to vote. As the Solicitor General has said, there are two means by which that can be remedied. One is by shortening the time that is required for a new qualification, and the other is successive occupation. You might, if the lawyers were not supreme in this country, shorten the time very much by getting rid of the long interval between July and January during which a man cannot use the vote he is declared to be entitled to until the appeals have taken place. If sufficient time were given to the revising barristers and to the two Judges to hear appeals, I do not see why a man should not go upon the register in September or October, instead of waiting until

January. I will take the case of one of these railway men, who, we may suppose, has resided in London for two or three years in one place. He is taken to another place, and the Solicitor General says he must reside twelve months in that place.

SIR E. CLARKE: I did not say he must reside in that new place; I said he might shorten the period of twelve months by successive occupation during the twelve months. I myself voted for successive occupation.

SIR W. HARCOURT: Do I understand you to admit that if a man is twelve months in one place he may vote on one month's occupation in another place?

SIR E. CLARKE: That would be my own view.

SIR W. HARCOURT: I think that is a view for which there is a great deal to be said. I do not see why a man who has established his occupation for whatever period is considered to give a title to a vote should not carry it with him in his new employment. That seems to me reasonable, of course with certain protection against personation and matters of that kind. I do not agree in thinking that twelve months' occupation is a necessary element. I do not see why three months' occupation—which would prove that a man was not of the character of a vagabond, but was a *bona fide* occupier—should not be sufficient. I am not going to follow the Solicitor General through all the details he has advanced, but he has spoken of the expenditure, and I agree that the money might be much better expended. And one of the objects of this Bill is that the money expended on registration shall be more economically and better expended than at present. There is no doubt, if you obtain competent people to do the work, there will be much less expenditure required in correction. As regards rating, we do not want to discard the rate-book. You may still take the rate-book, but the question is whether you are to make the vote dependent upon the personal payment of the rate. In connection with that point we consider there is a valu-

able principle, but with so much concurrence of opinion as to the objects we have in view I think we ought to pass the Second Reading of the Bill, and so record the desire of the House of Commons to give facilities to every man to exercise the franchise to which the Constitution declares him to be entitled. We must remember that the men who are disabled are the men who are least able to help themselves. The property voter with his plural vote is always on the register. Wherever he has occupation he carries his vote with him; but the occupier whose livelihood is the wages of labour, subject to the necessities of that labour, is constantly disfranchised, to the great injustice to himself and to the real injury of the community. Under these circumstances, I think it would be a very good thing if this afternoon we passed the Second Reading of this Bill.

MR. BAUMANN (Camberwell, Peckham): I wish to enter my protest—I hope temperately and respectfully, but at the same time most firmly and earnestly—against the attitude taken by Her Majesty's Government, as expressed at the Table by the Solicitor General; and I venture to say this is the first time in Parliamentary history a Government has accepted a Bill upon an all-important and far-reaching subject, that has been brought into this House and supported by right hon. and hon. Gentlemen sitting on the opposite side of the House. It is true that the Solicitor General, with all the nebulous precision of *Nisi Prius*, endeavoured to persuade the House that this was a mere question of registration. On that I have two remarks to make. If this is so very important a subject, as I admit, and if it so earnestly and urgently demands reform, why have Her Majesty's Government not brought in a Bill themselves to deal with the question of registration? We are on the eve of a General Election, and a reform of the Registration Laws, if necessary, ought now to be carried out; but I submit that any such proposal for reform of the Registration Laws ought not to come from the Opposition, but

*Sir W. Harcourt*

from the responsible Government of the day. But I deny entirely that this is a question of registration, and I say in opposition and in answer to the Solicitor General that this Bill, so far from being a mere question of registration, cuts at the very root and basis of our representative system. I am one of those persons old-fashioned enough to believe that the franchise is a privilege for which some test of fitness ought still to be required. We have still two tests, and two only, of fitness in this country—they are the payment of rates, either personally or by the landlord, and proved residence in some locality for a certain period of time. This Bill proposes practically to abolish both these tests of fitness, because by Clause 3 it is proposed to abolish the rating qualification. Surely the rating qualification is already low enough. The Solicitor General objects to Clause 3—I say it is the vital clause of the Bill—and yet the Solicitor General and the Government are going to support the Second Reading. The other test of fitness for the exercise of the franchise is twelve months' residence in the locality, and by Clause 9 of the Bill it is proposed to reduce that period to three months, and I would call attention to this three months' residence anywhere; because by the doctrine of successive occupation a man has only got to prove that he has existed, that he has lived in this country for three months before the registration, in order to prove his qualification. In fact, what this Bill reduces the franchise to is this—it is manhood suffrage tempered by the proof of three months' existence. That is merely the principle underlying this most dangerous and most mischievous Bill. There is another point which does affect us Metropolitan Conservative Members so closely that I must beg leave to draw to it the attention of the House. It is proposed that the registration superintendent, who shall practically have the whole control of the registration of voters in the Metropolis, should be an officer appointed by the London County Council—a body whose majority are animated by the most malevolent Party bias. It is to this body—the sworn enemies of Her Majesty's Government—that it



is proposed to hand over the loyal body of their Conservative supporters. I most earnestly protest against the attitude of the Government. There is only one drop of consolation in the bitter cup which I am not going to drink this afternoon, and that is, that this miserable Bill has not the slightest chance of passing into law. None the less, as a matter of principle, shall I vote against it, with the firm conviction that I have never given a sounder vote in my short Parliamentary life.

(4.52.) THE FIRST LORD OF THE TREASURY (Mr. A. J. BALFOUR, Manchester, E.): Perhaps I may be allowed to make a few remarks upon what has fallen from my hon. Friend the Member for Peckham (Mr. Baumann). As the Solicitor General has very clearly explained to the House, the Bill consists of two parts—one dealing with the limitation of the period required to give the necessary qualification for voting, and the other dealing with the machinery for registration. My own view with regard to the period of qualification is, that should the subject be touched at all, it should be touched with a most cautious hand, and in a most cautious manner. Undoubtedly, whatever change is to be made, I could not go to the length of the proposal contained in the Bill of the right hon. Gentleman opposite. With regard to registration, I believe that a very large number of gentlemen on both sides of the House—certainly on this side of the House—have pledged themselves publicly to a reform of the registration laws, and are desirous of having such reform carried out. The difficulty this afternoon is to decide what line should be taken in reference to a Bill dealing with the subject. I should imagine that there are parts of the Bill to which every man sitting on this side of the House would strongly object. I can also conceive that there are other parts of the Bill to which hon. Gentlemen on this side of the House could have no objection. Certainly we are not called upon to exercise anything in the nature of Party discipline, or to ask hon. Gentlemen who sit on this side of the House either to vote for the Bill or to vote

against it. The Government themselves are not committed either to the Second Reading or against it. Those who vote for the Second Reading, I conceive, will not consider that they are pledging themselves to swallow wholesale the views contained in the Bill with regard to the qualifying period; while those who vote against the Second Reading will not desire to regard themselves as committed against any reform of the existing machinery. I do not understand the heat which my hon. Friend the Member for Peckham has thrown into his observations on this subject. He must see that it is most inexpedient—unless he thinks that the existing system of registration is perfect—to preclude the House from the chance of publicly expressing its desire that some reform should be entertained. I do not myself see that I am the least bound not to oppose, to the utmost of my power, the particular suggestion of the right hon. Gentleman opposite with regard to the diminution of the qualifying period; but I would not resist the Second Reading, because I believe that many of the provisions of the Bill are good as they stand, whilst others by alteration may be made good.

\*(4.57.) SIR H. JAMES (Bury, Lancashire): I cannot agree with the suggestion of the hon. Member for Peckham that no Member of the House has any right to introduce a Bill on this important question, or that such a duty ought always to devolve upon the Government. We should never be able to urge upon the Government the importance of questions unless independent Members introduced Bills, and the attention of the Government was thus drawn to them.

MR. BAUMANN: That is not what I laid down, or anything like it. I said that a Bill dealing with Parliamentary Reform should be introduced by the Government.

\*SIR H. JAMES: But proposals for Parliamentary reform generally proceed from the Opposition. If you always left Parliamentary Reform to those who were in Office, you would get very little reform of this character. Lord Grey carried his Reform Bill by his exertions

when in Opposition, and only completed it when in Office. It is by exercising the powers of opposition and by calling attention to errors that exist that reforms are brought about. I will not follow the hon. Member for Peckham in his remarks. I do not think he contributed very much in the way of practical suggestion as to how we should act in regard to existing grievances. When we dealt with the Franchise Bill of 1884 and the Redistribution Bill of 1885, there was always a great difficulty on the part of those who were in charge of them in showing that they were Franchise Bills and not Registration Bills. The subjects are mixed up so closely together that there was great difficulty in keeping them separate. Hon. Members were constantly wishing to introduce provisions affecting registration, but it was suggested that they should be postponed till a fitting time came for dealing with such matters. I think that thanks are due to the right hon. Gentleman who has introduced this measure for having framed practical suggestions which can be considered by the House. I will not go into the details of the Bill. I will deal first with the question whether we should retain the present rating qualification or not. The hon. Member for Peckham stated that rating is regarded as evidence of fitness for the franchise; but I would point out that whilst the rate book is regarded as the best proof that a person is holding as an occupier, it has never been intended to be a test of fitness for the franchise. In 1869 Parliament enabled all small tenement holders to vote without themselves paying rates. When the service franchise was created, the rating qualification was dispensed with and why should that qualification be insisted upon for the master when it is not applied to the servant? As a matter of fact, the rating qualification was introduced in order to make the rate book the basis of the register, but that is a mere matter of conversion not of qualification. As to the time of occupation, every householder ought to exercise his vote without any restriction except in one respect—the occupying qualification should be

*Sir H. James*

sufficiently long to prevent the invasion of constituencies. The more eminent a candidate is, the more liable he would be to such invasion. For instance, the right hon. Gentleman the Member for Midlothian (Mr. W. E. Gladstone) might lose his seat, not by the votes of the *bona fide* electors, but by those of men introduced into his constituency solely for the purpose of getting rid of a most distinguished opponent. Surely some safeguard should be maintained against that. I agree with the general argument of the Solicitor General, but in his answer to the right hon. Member for Derby, the hon. and learned Gentleman contradicted that argument when he said that a man, having a six months' qualification in one constituency and only a day's residence in another, ought to be allowed to vote in the latter constituency. That would not be a fair exercise of the franchise. I am desirous, however, that there should be a great mitigation of the absurd occupation period of two years and six months. The House must remember that when Parliament gave household suffrage it did not intend that there should be an interval of between two and three years before the franchise could be exercised. The object should be to give as unrestricted a franchise as is compatible with the prevention of undue invasion or attack in any constituency. I agree that the time ought to be altered at which the register comes into operation. There is no reason why the Parliamentary register should not come into existence as soon as it is made. The municipal register comes into existence on the 1st November. Why should not the Parliamentary register come into existence at the same time? It has been urged that the successive occupation clause would lead to a great deal of personation. I would venture to suggest a way in which the amount of personation now existing might be lessened. A great amount which now occurs in our elections is in respect of dead people. My suggestion is that the registrar of deaths should be required to give notice to the returning officer of the death of every elector as it occurs. Then the names could be struck off the register at once, and there would be no

possibility of personation taking place. There are other suggestions I should have liked to make with regard to the Bill, but I will not now enter into the details. I am glad to think that there will be a vote of the House in favour of this Bill, because it will establish the fact that the majority of the Members believe a reform of the existing registration system to be necessary.

(5.5.) MR. J. STUART (Shoreditch, Hoxton): We have been witnesses this afternoon of a very curious scene on the Treasury Bench, and I think that some Member of the House should call attention to it. In the first place a subordinate Member of the Government, the Solicitor General, was put up to bless the Bill, and to express a general approval of its clauses; then a representative Member of the Conservative Party, the hon. Member for Peckham, got up, and spoke what I venture to believe is the voice of the majority of that Party. The First Lord of the Treasury comes into the House, and, hearing what his follower is saying, quickly picks up what the mind of his own Party is with reference to the question. He then gets up and takes practically the point of view of the hon. Member for Peckham, immediately throwing over the Solicitor General. The Solicitor General had not spoken for the Government, and the Government are not going to oppose the Bill, because they trim their sails to every wind that blows. The fact is the Government do not like this Bill. During the last six years the Conservative Party have several times voted against proposals brought forward for the amendment of the registration laws; but now, on the eve of the General Election, they have not the courage to say they are opposed to this Bill. The existing registration law of this country is utterly bad. It belongs to a time when a vote was a privilege and not a right, and when it had the effect of keeping people off the register. We ought now to have a system which will enable people to get on the register. The right hon. Gentleman the Member for Bury touched the crux of the

question when he referred to the absurd occupation period of two years and six months. No man could have contemplated, when the reform of 1884 took place, that such a state of things would now exist. Both the First Lord of the Treasury and the Solicitor General are against the proposal to shorten the period of occupation necessary for qualification. What is the value of a Registration Amendment Bill unless it will shorten the period of occupation? It is worthless. For the Government to pretend that they are supporting a reform in the Registration Laws when they refuse to support a proposal for shortening the period of occupation is simply ridiculous. Now, Sir, this matter is one in which the constituencies take great interest. I am not far wrong when I say that more than a million of people who should be on the register in England and Wales are kept off it by the present bad and faulty registration system. Let me call the attention of the House to the extreme necessity for this measure for London, where we suffer more in this respect than in any other place. In illustration of this simple fact I may say that last year, by the Tory and Liberal registration agents and associations no fewer than 93,000 names were placed upon the register, and no fewer than 22,000 names—many of the persons being dead—were struck off. The 92,867 names placed on the register by the various agents and associations were left off owing to the carelessness which the existing system makes possible. That, I venture to say, is a state of things which would be impossible if this Bill became law. Then the number of persons in London whose claim to vote is rendered null and void in consequence of their removing from one part of the Metropolis to the other, or because they change their qualification, or for some other reason of the same description, is quite fifty per cent. of the whole electorate. The right hon. Gentleman who moved this Bill has proposed a certain change in the matter of the registration of the old lodger, and I cannot see why he has not made a similar change with regard to the registration of the new lodger. I hope

he will consider that point. Another matter to which I desire to call the attention of the House is that, whereas the Bill provides for successive occupation in various districts, it does not provide for what is a still more familiar form of disqualification—namely, change of qualification from occupier to lodger, and *vice versa*. These, however, are questions which could be dealt with in Committee. What, however, I have risen especially to point out is the absurd action of the Treasury Bench in this matter, and how clear it is that the Solicitor General has been thrown over by the First Lord of the Treasury, whose views on this Bill are represented by the hon. Member for Peckham.

\*(5.14.) SIR ALBERT ROLLIT (Islington, S.): I had no intention whatever of saying a word upon this Bill; but the remarks of the hon. Member for Peckham (Mr. Baumann) and of the hon. Member for Hoxton (Mr. J. Stuart) have induced me to do so. On the one hand, I should not like it to be supposed that the hon. Member for Peckham represents the general feeling on this side of the House; and, on the other hand, I think the hon. Member for Hoxton has infused into this matter a party element for which there is no justification. The Bill was introduced by the right hon. Gentleman opposite (Mr. Stansfeld) in terms most reasonable and moderate, and that feeling was fully reciprocated by the hon. and learned Gentleman the Solicitor General (Sir E. Clarke). I would remind the House that both political organisations have recognised the difficulties of registration, and appreciate the fact that there are many points capable of amendment. At Birmingham, last year, the Conservative National Union passed a resolution of mine in favour of registration reform, and as the hon. Member for Hoxton imputes to hon. Members on this side a lack of interest in this question, I may point out to him that the hon. Member for St. Pancras (Mr. Bolton) and I have introduced this Session a Bill providing for successive occupation in the case of lodgers, and for otherwise amending the Registration Laws, and that

*Mr. J. Stuart*

the names of Conservative Members are among others on the back of the Bill. Personally, whatever the Treasury Bench may think generally, I, as an independent Conservative, most heartily approve of the sentiments which have been expressed by the Solicitor General. The time may soon come for us, as it has for many other countries, when we shall have to choose between household suffrage and manhood suffrage, and we, who believe in the principle of household suffrage, are of opinion that it will be best maintained by making its application as inclusive as possible, and so strengthening what is the franchise of citizenship. No one can have any experience of the delays, technicalities, anomalies, and disappointments, due to the want of the powers of amendment conferred by this Bill which exist in the Revising Barristers' Courts—and which tend to create a feeling of disgust in the minds of the voters—without feeling that something should be done in the direction proposed by this Bill to remedy such defects and shortcomings of the law. In my opinion, moreover, the work of registration is badly done by party action, and would be much better done by public officers. The appointment of public officers would not only prevent great delay and inconvenience to voters themselves, but it would terminate a state of things which demands that so much party energy should, as now, be dissipated in the useless and thankless task of registration drudgery. If politicians, instead of devoting the dog days to revision and mere technical details, could spend the time in taking a higher and better part in politics; for instance, in imparting political instruction, much real good would result, and, personally, I do not share the distrust of official County Council and Municipal action which has been expressed. I think, Sir, the principle underlying this Bill is a right one. The third clause is certainly open to criticism, because I still believe in maintaining essentially a citizen franchise. If taxation without representation is tyranny, I think representation without taxation may prove to be tyranny over other people. There are evils to be redressed in connection



with the Registration Laws, such as the deprivation of the right to vote in cases of successive occupation both in and outside the same electoral area—with proper precautions for proving identity and preventing personation—and I hope and believe that this side of the House is anxious to help in redressing them, and that they will, therefore, support the Second Reading of this Bill.

\*(5.20.) SIR J. PEASE (Durham, Barnard Castle): I should like to call particular attention to the speech of the right hon. Gentleman the First Lord of the Treasury. He came into the House for a few moments only, and stated that the Front Bench were at liberty to vote whichever way they liked; but, at the same time, as soon as the Bill goes into Committee, he should do his best to strangle it in some of its most important points. The right hon. Gentleman expressed himself as diametrically opposed to the provisions for shortening the qualifying period, and also, as I understand, to those relating to residence in different electoral districts. Now, it seems to me, judging by the needs of the working-class districts with which I am acquainted, that the most vital points of this Bill are the very ones the right hon. Gentleman has decided against. Under the existing law, if a man goes from one place to another in order to get work that he may keep his wife and family, he loses his right to vote. The Bill now before the House will remove that grievance amongst others, yet that is one of the things the Leader of the House has declared himself opposed to. I cannot understand how the right hon. Gentleman can consent to allow his Party to vote as they like since he has determined to do the Bill all the harm he can when it gets into Committee.

(5.23.) MR. CAUSTON (Southwark, W.): I think it is evident, from the speech of the First Lord of the Treasury, that his followers are going to support this Bill because they know it will not be proceeded with further than

the Second Reading this year, and because some of them have stated on public platforms that their Party would bring in a Registration Bill. That is only another specimen of the policy which has been adopted by the Government this Session in connection with various Motions distasteful to them. I am sorry to miss from the Treasury Bench the presence of the Chancellor of the Exchequer, of whom we have heard a good deal with regard to Registration Bills. As the hon. Member for South Islington (Sir A. Rollit) has said that they are almost united on the other side as to this Bill, it might be as well that the House should hear a few words from a speech by the Chancellor of the Exchequer on this subject of registration. On the same day that the right hon. Gentleman the Member for Great Grimsby (Mr. Heneage) was pressing the Chancellor of the Exchequer at Hull to go in for a Registration Bill, and the Solicitor General was advocating the same thing at Westminster, the right hon. Gentleman (Mr. Goschen), speaking on this question, was reported in the *Times* to have said—

“It would mean a new distribution of political power; one more tinkering with the Constitution, and an attempt once more to pick the Constitution to pieces.”

That is the Ministerial view of registration. And I think it just as well, as we are going to a Division, that the country should know that, although a section of the Conservative Party will vote for this Bill, they have not the slightest intention of assisting to pass it into law. The hon. Member for Hoxton (Mr. J. Stuart) has gone into details with regard to London that I should have dwelt upon had I spoken before him. But as I do not wish to waste the time of the House I will refrain from touching on more than one point—namely, the question of successive occupation. London suffers more in this respect than any other city in the Kingdom. In Liverpool, Manchester, and Glasgow a man may move from one part of the city to the other and claim his vote on the ground of successive occupation; but in London

he cannot move from Southwark to Brixton, or anywhere else in the Metropolis, without running the risk of being off the register two years and five months. As time is getting short I will not say more than that I hope the country will understand that the promise of a Registration Bill from the Government is a very hollow one indeed.

Question put.

(5.25.) The House divided :—Ayes 295 ; Noes 88.—(Div. List, No. 143.)

Main Question put, and agreed to.

Bill read a second time, and committed for To-morrow.

LOCAL GOVERNMENT PROVISIONAL ORDERS (No. 8) BILL.—(No. 340.)

Read a second time, and committed.

LOCAL GOVERNMENT PROVISIONAL ORDERS (No. 12) BILL.—(No. 352.)

Read a second time, and committed.

LOCAL GOVERNMENT PROVISIONAL ORDERS (No. 13) BILL.—(No. 353.)

Read a second time, and committed.

COMMITTEES (ASCENSION DAY).

Ordered, That Committees do not sit To-morrow, being Ascension Day, until Two of the clock.—(Mr. A. J. Balfour).

MERCHANT SHIPPING ACTS AMENDMENT (*re-committed*) BILL.—(No. 318.)

Considered in Committee.

(In the Committee.)

Clause 1.

Committee report Progress ; to sit again To-morrow.

PUBLIC PETITIONS COMMITTEE.

Eleventh Report brought up, and read ; to lie upon the Table, and to be printed.

Mr. Causton

## MOTIONS.

### WATERMEN'S AND LIGHTERMEN'S COMPANY BILL.

Ordered, That the Parties appearing before the Select Committee on the Watermen's and Lightermen's Company Bill have leave to print the Minutes of Evidence taken before the Committee from the Committee Clerk's Copy, if they think fit.—(Sir William Houldsworth.)

### VEXATIOUS LITIGATION (SCOTLAND) BILL.

On Motion of Dr. Cameron, Bill to amend the Law as to Vexatious Litigation in Scotland, ordered to be brought in by Dr. Cameron, Mr. Mackintosh, and Mr. Caldwell.

Bill presented, and read first time. [Bill 373.]

### ADJOURNMENT.

Motion made, and Question proposed, "That this House do now adjourn."—(Sir J. Gorst.)

(5.49.) COLONEL NOLAN (Galway, N.): Will the right hon. Gentleman say what will be the course of Business to-morrow and on Friday ?

THE SECRETARY TO THE TREASURY (Sir J. Gorst, Chatham) : On Thursday it is proposed to take the Indian Councils Bill as first Order, and the next Business will be the Vote on Account. When the Vote on Account is disposed of, the Committee on the Customs and Inland Revenue Bill will be proceeded with, and that Bill is not blocked by the Twelve o'Clock Rule. As to the Business on Friday, I cannot give any pledge, though I have heard my right hon. Friend say it was his intention to ask the House to take the Small Holdings Bill on that day.

DR. TANNER (Cork Co., Mid) : Will the right hon. Gentleman say for what period the Vote on Account will be taken—six weeks or two months ?

SIR J. GORST : The different items in the Vote will cover different periods according to the exigencies of Departments ; but, speaking generally, it will be a Vote on Account for two months.

DR. TANNER : We all know what that means.

Motion agreed to.

House adjourned at ten minutes before Six o'clock.

## HOUSE OF COMMONS,

*Thursday, 26th May, 1892.*

## PRIVATE BUSINESS.

BIRMINGHAM CORPORATION WATER  
BILL (*by Order.*)

## CONSIDERATION.

As amended, considered.

\*MR. SPEAKER: The new clause standing in the name of the hon. Member for Merionethshire (Mr. Thomas Ellis)—Compensation to yearly tenants—is not in order. It cannot be moved with the Speaker in the Chair.

\*(3.5.) MR. MORTON (Peterborough): I desire to move a new clause to prohibit the use of barbed wire in the fencing the Corporation may erect. I understand from the paper which has been circulated by the Corporation of Birmingham that they do not object to the insertion of such a clause should the House see fit to insert it, and, indeed, in reference to one estate I find that such a clause has been inserted. It appears to me that if it is proposed to have such a provision in reference to one estate, it should be good for all the estates concerned under this Bill. I think there is a general feeling in the country against the use of this barbed wire for fencing; it is cruel to animals and it causes a great deal of unnecessary annoyance. As I understand there is no opposition to the clause, I need not trouble the House further.

New clause—

(Barbed wire.)

“The Corporation shall not use any barbed wire in connection with the erection of any fences or otherwise,”

—brought up, and read a first and second time.

Amendment proposed, after the word “erection” to insert the words “or maintenance.”—(*Mr. Brunner.*)

Amendment agreed to.

Clause, as amended, added to the Bill.

MR. LLOYD-GEORGE (Carnarvon, &c.): I have to move the new clause in the form in which it appears on the Notice Paper, and my reason is that the common rights involved should be under the control of a representative and independent body. By Clause 46 of the Bill power is given to the Corporation to acquire common land by agreement, which implies that if the Corporation offer sufficient inducement commoners may dispose of their rights, and those rights would then be disposed of without consultation with any independent authority. But I think there should be some independent authority to protect public rights other than the rights of commoners. After all, the importance of these common lands is due to the fact not only that certain individuals enjoy certain rights in the commons, but that the general community have an interest in the commons, and it is the interest of the community we desire to protect, not merely that of individuals. Secondly, the object of my clause is this. By Section 49 of the Bill power is given to the Corporation to make bye-laws regulating sheep washing, the digging of turf, the cutting of ferns, fishing, recreation, and things of that kind. Now, I do not think that unrestricted power should be given to the Corporation to make such bye-laws as they may think proper, subject only to the approval of the Secretary of State, who, of course, will have no local knowledge. An investigation should be held on the spot in accordance with the policy pursued in the Local Government Act passed by the present Government. It is right, I think, that the local County Councils should have some power of intervention in the matter instead of the bye-laws being left entirely to the Birmingham Corporation, whose interest, of course, it will be to make such bye-laws as stringent and restrictive as possible. These bye-laws should be prepared by representatives of the people resident in the district. The Councils will naturally regard the interest of all parties of the ratepayers, as well as of the Birmingham Corporation, the community generally, and the tourists who visit the district. The clause proposes that

the bye-laws shall have the final approval of the Board of Agriculture, and so I think they will be fair to all parties.

**New Clause—**

Page 42, after Clause 49, insert the following clause:—“The common or unenclosed lands (as aforesaid) and the common or commonable rights over such lands shall be subject to the management and control of trustees, to consist of three persons to be appointed by the council of the county of Radnor, two persons to be appointed by the council of the county of Brecon, and one person to be appointed by the council of the county of Cardigan, the persons so appointed being removable by, and vacancies filled by the body who appointed them, such persons to be called ‘The Trustees of Common Lands.’”

The said trustees may, as respects the common or unenclosed lands, as aforesaid, make bye-laws for the prevention of the pollution of the water flowing through and from such land.

The bye-laws may include all or any of the following purposes:—

- (1.) The regulation of the cutting peat or turf for fuel, and the cutting of fern and rushes;
- (2.) The regulation of the exercise of fishing rights by the people of the district and town of Rhayader in the upper reservoirs and streams flowing into the same;
- (3.) The prevention of nuisances and of any act tending to the pollution of the water flowing through the common and unenclosed lands;
- (4.) The regulation of recreation on the said lands, and the prevention of the disturbance of stock growing thereon by dogs and otherwise;
- (5.) All such bye-laws shall be made by the said trustees, subject to the approval of the Corporation and the Board of Agriculture,”

—brought up, and read a first time.

Motion made, and Question proposed, “That the Clause be read a second time.”

MR. CAMPBELL-BANNERMAN (Stirling, &c.): As Chairman of the Committee I may state to my hon. Friend and the House what was the view taken by the Committee of this matter. The Committee, very reasonably I think, sympathised with the desire of persons in the locality that they should not be absolutely at the mercy of the Corporation of Birmingham with regard to the bye-laws to be made. At the same time, the full extent of these proposals hardly

commended itself to the Committee—namely, that the County Councils of the different counties concerned should have a hand in the framing of the bye-laws for the purpose of protecting from any danger of impurity the waterworks of the Corporation. Surely the Corporation are themselves in the main the best judges of what is necessary for this purpose; but in order that local interests might be protected, and to meet local ideas, what the Committee did was to provide that the bye-laws should be subject to the approval of the Board of Agriculture, the central authority to whom is deputed the duty of protecting local interests in these matters. But the Committee also made the suggestion, which was adopted by the promoters of the Bill, that before being submitted for the approval of the Board of Agriculture a copy of the proposed bye-law should be sent to each County Council, in order that the Councils might have the opportunity of making suggestions in regard to it. Accordingly in Clause 49 of the Bill it is provided that the Board of Agriculture shall be the authority to which the bye-laws shall be submitted, provided that a copy of the proposed bye-law shall have been sent to the Clerk of the County Council in each county where the bye-law is intended to operate one month at least before application is made for its confirmation. Thus full opportunity is given to the County Councils to point out where any mistake may have been made, or where there is any unnecessary infringement of the rights of commoners. I may say generally the Committee were most careful to preserve the rights of commoners and of all persons resident in the locality, and I believe the Bill goes much further than any Bill I can remember in the direction of the protection of local rights. I am bound to say also that we found the Corporation most willing to meet our reasonable view in this respect, and I can confidently say that comparing this with any previous Water Bill of a similar character Parliament has had to deal with, far greater care has been taken to protect local rights, and I am not aware of any right that has not been fully preserved, so far as it is possible to preserve it, under the

*Mr. Lloyd-George*



provisions of this Bill. If this is not so in any case, then it is contrary to the intention of the Committee. With regard to these bye-laws, there was a statement expressed that the casual wayfarer would have his feelings less disturbed if he found that the regulations were signed by the local County Council rather than by the official of the Corporation, but I do not think there is much in that sentimental view so long as substantially the people of the locality have ample power to make their voices heard and opportunity to make their views prevail. They have this under the Bill, with the protection of the approval of the Board of Agriculture, and I really do not think it is necessary to insert this clause.

MR. THOMAS ELLIS (Merionethshire): I am quite ready to recognise that in the later stages the Corporation did, under pressure, consent to make considerable changes in their Bill, but I venture to say the clause as it stands will not serve the purpose the Committee desired to attain. In the original Bill the Corporation desired the power of buying up *in toto* all rights over 32,000 acres of common land, but in Committee a change was made by which the commons are still to remain in their present condition and under the present tenure, so that peasants and tenant farmers may still retain their common rights over these 32,000 acres of common. There is at present no authority whatever to take care of this fundamental question of the purity of the water. It is for securing the purity of the water that, according to Clause 49, these bye-laws are to be framed. But, according to the provisions and intentions of the Committee, these common rights are to remain as they are under the Corporation of Birmingham, and it is only by consent under Clause 46 that common rights are to be bought up. Now, in the meantime, and before the Municipality of Birmingham acquires the common right over these 32,000 acres of gathering ground for their water supply, there will be no authority to look after the interests of the commoners. Now I venture to think that even in the interest of the purity of the water you should by this Act create some body as

trustees to look after these matters. It is much more than a sentimental question; it is a question of safeguarding the rights of commoners and of the inhabitants of the district. It is impossible for the Municipality of Birmingham, even with very good intentions, to know of all the interests in the case, and I think the least that should be done is that some responsible representatives of the Local Authority should have the initiative in the making of the bye-laws for the general management of the district. I think in the interest of the purity of the water, and until the common rights are bought up—if they ever are bought up, which I hope they may not be, and even then—that the Local Authority in the interest of the population of the district should have a voice in the making of these bye-laws. I trust that the Chairman of the Committee and the right hon. Gentleman the Member for West Birmingham (Mr. J. Chamberlain) will see that not alone in the interest of the locality, but in the interest of the purity of the water supply the clause proposed by my hon. Friend is well worthy of consideration.

(3.20.) MR. SYDNEY GEDGE (Stockport): If the intention is to give to these trustees authority to make bye-laws for the land not acquired by the Corporation, that is not the meaning of the clause. The new clause simply applies to "the common or unenclosed lands ('as aforesaid')"—that is, those lands which have been acquired by the Corporation. If, therefore, the object is to regulate the use of the land not bought by the Corporation the clause entirely fails to do it. I am bound to say, as a member of the Committee, that it is not correct to say that the Corporation of Birmingham yielded under pressure to the changes in their Bill, because from the first, and in the opening speech of their counsel, they expressed their desire not to acquire greater powers than were absolutely necessary for the main purpose of the Bill and the security of the purity of the water. I do not pretend to a very large experience in respect to these Water Bills, but I am bound to say I hardly ever knew the promoters of a Bill more anxious to limit their powers to the necessities of

their object and to meet the wishes of the Committee and the petitioners than the Birmingham Corporation were in this instance. With regard to what the hon. Member has said as to the rights of the public over these commons, I would observe that there is no such thing as the right of the public over common lands; they belong to the lord of the manor and the commoners; the public have no right. ("Oh, oh!") That is so; the rights are those of private ownership, and except on the Queen's highway the public have no rights whatever. They may have an easement; they may have a right of way; but as to a general right to wander over such unenclosed lands, it has no existence, and I believe it is not known to the English law. In this Bill we have rather extended than diminished any rights of the public.

MR. STUART RENDEL (Montgomeryshire): I do not think any of the Members who represent the Principality desire to deny the willingness of the Corporation of Birmingham to meet the natural necessities of the case, and to deal in a fair spirit with the demands made by the people of the locality; but, of course, this is a Bill of such an unusual character as to remove it altogether from the category of ordinary Water Bills, and it is therefore our duty to look more closely into details than might be necessary in other cases. While we recognise to the full the statement of the right hon. Gentleman (Mr. Campbell-Bannerman) as to the desire to protect the interests of the people of the locality, we do not feel that that has been secured under the Bill. It will be observed that a copy of the bye-law is to be sent to the clerk of the County Council; but there the matter stops, and there is no power given to the County Council to take any action under the Bill. The difficulty would be met if the Council had some operative power conferred upon it. If the County Council had the power to call upon the Board of Agriculture to institute a local inquiry that would be something. I hope it is not too late to adopt some proposal in the direction of the clause.

MR. J. CHAMBERLAIN (Birmingham, W.): On behalf of the Corporation Birmingham I recognise the friendly

spirit in which this matter has been dealt with by hon. Members. I am very glad to see there is no idea of antagonism to the Corporation, the intention being to protect the interests of the inhabitants as well as of the Corporation. I can confirm what has been said by the hon. Member opposite (Mr. Sydney Gedge), that from the first the Corporation frankly said that their only desire was to obtain such rights as were necessary for their purpose to secure the purity of the water. If it were possible to arrange this without the acquisition of the freehold by the Corporation I should have been delighted to have avoided what I feel is an enormous responsibility. Now, the whole question has been considered by the Committee from this point of view, and the Committee have imposed on the Corporation certain changes in the Bill intended to safeguard local interests. Of course, if the Corporation had regarded the matter from a different point of view, though they might not have been able to resist the decision of the Committee, they might have accepted the conditions with the intention of restoring the Bill to its first shape during the progress of the Bill in another place. But the Corporation had no such intention; they accepted all the alterations which, after a full hearing, were suggested by the Committee, and they have no intention to endeavour to obtain any alteration of the concessions made. With regard to this, which is, after all, a minor point, I need only point out to hon. Gentlemen below the Gangway that the Corporation are investing an enormous sum of money in this undertaking, and I am bound to say, speaking as one very much interested in the prosperity of Birmingham, that it is a painful necessity; that nothing less than the apprehension of a water famine would induce us to undertake such an enormous responsibility. But as we are about to expend six millions of money we must take care that we secure the purity of the water we supply. To that purpose are these clauses directed, and only to secure that do we in any way desire to interfere with the use of the commons; and in making these bye-laws, to insure that consideration

*Mr. Sydney Gedge*

shall be given to local wishes, it is provided that the bye-laws shall be submitted for the approval of the Board of Agriculture. The suggestion has just been thrown out that the Board of Agriculture should hold a local inquiry, if requested to do so by any of the County Councils interested, before confirming a bye-law prepared by the Corporation. This appears to me a most reasonable proposal; and in principle I shall be glad on the part of the Corporation to accept it. Of course, there is a difficulty in introducing just the right words at a moment's notice; and perhaps the hon. Member will now withdraw the clause, on the pledge given, that the representatives of the Corporation will consult with hon. Members below the Gangway with the view to the insertion, in another place, of an Amendment which will provide that a local inquiry shall be held when such, in the opinion of the Local Council, appears to be necessary.

MR. LLOYD-GEORGE: Upon that understanding I will, with the permission of the House, withdraw this clause.

Motion, and Clause, by leave, withdrawn.

\*MR. MORTON: I have now to ask the House to adopt the Amendment, notice of which I have given to Clause 5—namely, to add the words—

“As are within the limits of deviation, and required for the reservoirs and works by this Act authorised.”

I am aware of the difficulty of inducing the House to make an alteration of this kind after a Committee has considered the Bill; but, however, an addition has been made at this stage showing that at any rate we are justified in giving consideration to these matters even now. As I understand the matter, the Corporation propose to take many thousands of acres more than they really require for their works; and I do not see why this should be allowed in this particular case, and I understand it is not usually allowed. I understand that when a railway company or other promoters are given powers to acquire land, then any surplus land left, after completion of the works, is sold within a certain time, or else the promoters lose that land

altogether. It appears to me there is no sufficient reason why this Corporation should take large quantities of land they really do not require for the purposes of these works in any way whatever, and probably against the interests of the people of Wales. I am told, in the papers which have been circulated by the promoters, that this re-opens the large question with regard to the acquisition of land which has been considered by the Committee, and I am told also that in another clause they deal with this matter to some extent by proposing to let the land. But this does not appear to me enough. I quite agree that Birmingham ought to be allowed to get a good supply of water, although I am not certain that they ought not to be compelled to pay the Welsh people for taking this water from Wales, or, at any rate, to make compensation in some form, because the proposal includes something more than supplying water to Birmingham. The Corporation propose to supply water to other districts, so that to some extent it has the appearance of a gigantic speculation, upon which the Corporation are embarking with the money of the ratepayers. But I do not think they ought to speculate with the ratepayers' money, and, therefore, I propose to limit these powers of acquisition to land actually required for the authorised works. Perhaps we may have some explanation why this large quantity of land is to be taken, and, meantime, I move my Amendment.

Amendment proposed,

In page 5, line 5, after the word “reference,” to insert the words “as are within the limits of deviation, and required for the reservoirs and works by this Act authorised.”—(Mr. Morton.)

Question proposed, “That those words be there inserted.”

MR. JOSEPH CHAMBERLAIN: To carry such a proposal would be absolutely fatal to the Bill. As the hon. Gentleman is probably aware, the whole matter was discussed on the Debate on the Second Reading, and it was very carefully gone into by the Committee. I believe I have the authority of the Chairman of the Committee to say that the Committee had no hesitation in agreeing to the contention of the Corporation that it would be

impossible to successfully conduct this great scheme without the Corporation having full control over the drainage area.

MR. CAMPBELL-BANNERMAN : I must correct one word used by my right hon. Friend. He says the Committee had no hesitation in accepting the view of the Corporation ; but the fact is, we had in one sense a great deal of hesitation ; that is to say, on the first blush—I speak for myself particularly—I was very much opposed to this acquisition of land. But the more the matter was examined the more did the necessity for this appear. The land, or a vast extent of it, is unoccupied ; it is not altogether waste land—it is pasture land ; and the interests affected are comparatively few. If we had seen any way of avoiding this large acquisition of land, we should have been glad to adopt it ; and we were fortunately able to suggest, on the initiative of the hon. Member for Stockport (Mr. Sydney Gedge), a proposal to the Corporation that when the value of the land had been ascertained—purchased as it were—that then it should be given back on a 999 years' lease to those to whom it belonged if they chose to exercise their right. That seemed to us to meet the case, and to save the interests of those concerned, while securing to the Corporation that control which it was forced upon us day after day it was necessary the Corporation should have. That having been secured, I think the Committee at that stage, and when we came to our Report, had no hesitation or difference of opinion.

\*MR. MORTON : Under the circumstances I will, with the permission of the House, withdraw my proposal.

Amendment, by leave, withdrawn.

\*(3.40.) MR. MORTON : My next point refers to the same matter—it has relation to the rent to be charged for these lands we have been speaking about, and which are to be let on 999 years' leases. This rent is to be, according to the Bill, three per cent. on the cost of the land, including, of course, all the costs in connection with the taking of the land and the minerals under the surface. But in the conditions of the leases no mineral rights will be disposed of, so that the Cor-

poration will not be re-letting all that they have purchased. It has occurred to myself and others that, considering the reservations made by the Corporation, two and a half per cent. would be sufficient to cover the actual cost of that which is re-let. I see that the promoters in their statement say that they will have to borrow the purchase-money at three per cent., and, therefore they ought to get three per cent. on the land purchased with the money. But as I have pointed out, they do not re-let all that they purchase, and should therefore make some allowance, which I think may fairly be calculated as the difference between three and two and a half per cent. •

Amendment proposed, in page 10, line 16, to leave out the word “ three,” and insert the words “ two and one-half.”—(*Mr. Morton.*)

Question proposed, “ That the word ‘ three ’ stand part of the Bill.”

MR. JOSEPH CHAMBERLAIN : The hon. Member has very frankly said, in moving this Amendment, that it has reference to the same subject as his last Amendment ; and as he was good enough to withdraw the last, so, to be consistent, I hope he will withdraw this also. I am sure he will be the more inclined to do so, for I hardly think he does justice to his own financial reputation. Let me point out to him the effect of the Amendment. The suggestion is that the Corporation of Birmingham, which will have to borrow the money at, I am sorry to say, three per cent., or perhaps a little more, shall then invest the money at two and a half per cent. Now, if they were to adopt such a financial policy as that, I think the Corporation would start on the road to the Bankruptcy Court.

\*MR. MORTON : That is not my proposal.

MR. J. CHAMBERLAIN : Further, it is to be observed that on the terms of compulsory purchase and conditions attached the owners will be at a great advantage in selling their land, and they are not compelled to take leases. I think the hon. Member must see his proposal is not a reasonable one.

*Mr. Joseph Chamberlain*



\*MR. MORTON: If I may be allowed to explain, I would point out again that, though the Corporation may have to borrow at three per cent., they do not re-let all they purchase; they reserve all mineral rights.

MR. SYDNEY GEDGE: The hon. Member is, I think, mistaken. If he will read the clause he will see that the three per cent. is not on the full purchase-money, but on such sum less the value of minerals, &c. Surely the hon. Member will not press his proposal?

Question put, and agreed to.

\*MR. MORTON: My next Amendment refers to the same matter, but to a different class of tenant. The Corporation are to let farms now occupied by annual tenants or by those who have short leases on leases of twenty-one years, rent and conditions to be arranged. Now, it occurs to me that if the Corporation are willing to let the land for a term of twenty-one years, then at the expiration of that term I do not see why the tenant, if he desire to do so, should not be allowed to take a fresh lease. I have not heard why a tenant should be turned out at the end of twenty-one years any more than at the end of two or three years. I think if the tenant has this right of protection for twenty-one years he has an equal right to that protection in perpetuity.

Amendment proposed,

In page 11, line 18, after the word "years," to insert the words "and shall renew the same from time to time for further periods of twenty-one years if demanded."—(Mr. Morton.)

Question proposed, "That those words be there inserted."

(3.45.) MR. CAMPBELL-BANNERMAN: I am very sorry my hon. Friend, who takes such an interest in this question, did not attend some of the proceedings of our Committee upstairs, when he would have seen how careful we were to protect the interest of these very tenants. Apart from the usual and ordinary proceedings in Committee on a Private Bill, this Hybrid Committee called for independent testimony from the district without the intervention of counsel, and we had the account from themselves of some

six, eight, or ten farmers who were to be affected under the clauses of this Bill, and in the result the Corporation agreed to meet the case by this provision of twenty-one years' leases. We were told that these tenants are annual tenants at present with no leases whatever and no fixity of tenure at all, but that they are well treated by their landlord and hold their farms at a very fair rent. They not unnaturally had a fear that this dreadful Corporation, coming in with mercantile ideas, might treat them in a severely commercial manner, and make their fate much worse than it had been. I think, having gone the extreme length of offering to a man who has no lease at all, and is absolutely uncertain as to his position, a twenty-one years' lease at the admittedly very moderate rent now paid, we have done as much as Corporation, Committee, or Parliament can be expected to do.

MR. THOMAS ELLIS: I do not know whether my hon. Friend intends to press this Amendment, but I take the opportunity to say that the right hon. Gentleman has rather exaggerated the generosity of the Birmingham Corporation in this matter. I do not doubt that the Corporation will make liberal compensation to the landowners, but I am certain that this treatment of the tenants is the very least which in equity should be given. It is quite true, and the truth is a scandal, that these tenants are in the position of being liable to be turned from their holdings at six or twelve months' notice; and it seems to me that to give them the security of a tenure for twenty-one years is the very least that should be given. I hope, even if the Amendment is not accepted in its present form, that, at any rate, in another place the Corporation of Birmingham will, in the case of land not required for the works, give present tenants the first choice in the renewal of leases; and, further, I make an appeal to the right hon. Gentleman the Member for Birmingham, who has charge of this Bill, that in another place some consideration, some regard, shall be had to those tenants who actually will, under this Bill, be turned from their homes and sent adrift in the world. I find that it is, technically, not

possible for me to move the clause with which I intended to deal with these cases; but I ask the right hon. Gentleman to say that liberal compensation shall be given to tenants who are to be turned from their homes after occupation extending over thirty, forty, and even in some cases more than seventy, years. I hope the right hon. Gentleman will give some undertaking on these points—that, in cases where farms are not wanted, the present tenants shall have first choice of renewals of leases; and that where tenants are actually turned out liberal compensation shall be given them.

MR. J. CHAMBERLAIN: I can only pledge the Corporation to this: that they will undoubtedly be most happy to give the fullest consideration to any suggestion made by the hon. Member in the interval between now and the promotion of the Bill in another place. In regard to these particular cases concerned in the Amendment now before us, the tenants were, as the Chairman has said, fully heard, and I think I am justified in saying that when they understood what the Committee proposed to do for them, they went away absolutely and perfectly satisfied. At the same time, if there is any chink, any hole, any lapse in the proposal considered in Committee to which my hon. Friend will call attention, I can assure him that the fullest consideration shall be given to it by the Corporation.

MR. MORTON: As I understand the matter will be re-considered, I ask leave to withdraw my Amendment.

MR. J. CHAMBERLAIN: But do not let me be misunderstood. The proposal now is for perpetual renewal of leases, and this the Corporation must undoubtedly refuse.

MR. MORTON: I understand that consideration shall be given to the position of these tenants in consultation with my hon. Friend, and I will not press the matter further.

Amendment, by leave, withdrawn.

MR. T. ELLIS: Clause 53 has been amended in deference to opinions expressed in the House, and I confess that even as it is, it is not an admission of the rights of the people of the locality. But I would point out to

*Mr. Thomas Ellis*

the Chairman of the Committee, in reference to what he has said as to the desire of the Committee to protect the rights of the locality, that as the clause stands at present there is no real guarantee that the people in the district will have the rights and privileges referred to in the Bill secured to them. I venture to remind him of the experiences in regard to the Corporation of Liverpool in a similar matter. The clause has reference to the rights of fishing. Now, I am not a lawyer, and I am not quite certain whether there are actual rights of fishing to be proved by Statute Law, but this at any rate is certain: that from time immemorial the inhabitants of the district and the town of Rhayder have, unmolested, enjoyed the rights and privileges of fishing in all the streams in this tract of 34,000 acres of common land. My present Amendment is to insert after "rights," the words "and privileges," and this followed by a consequential Amendment to line 26 adding the words "hitherto enjoyed," so that there may be no doubt as to the rights and privileges hitherto enjoyed by the inhabitants and the town of Rhayader. There is, I believe, no record of an inhabitant ever having been molested by a landowner in the exercise of this privilege. It is said in this statement issued by the promoters that it is only a right enjoyed on sufferance; but whether it is or not it is a very substantial right or privilege; it is of great benefit to the people of the locality, and its abrogation will give rise to much expression of feeling. It is in order that there may not be that annoyance and litigation which have arisen in connection with the Liverpool Corporation reservoirs that I propose this Amendment.

Amendment proposed, in page 44, line 23, after the word "rights," to insert the words "and privileges."—*(Mr. T. Ellis.)*

Question proposed, "That the words 'and privileges,' be there inserted."

(3.55.) MR. CAMPBELL - BANNERMAN: I think the Committee, so far as I can speak for them, were entirely in agreement with my hon. Friend, or in substantial agreement with him. We had a good deal of evidence

on the point; and as to the right or privilege, whichever it may be called, of the people of the district of Rhayader and outside the particular water area, to fishing in the waters there, the Committee considered the question of inserting the words "and privileges," and we determined not to do so, our reason being that we did not wish by the Bill to create any new rights. We only wished to maintain and not to interfere with existing rights. Although there is this very free privilege of fishing, yet it has the nature of a privilege, and it was not for us to convert that into what my hon. Friend speaks of as a statutory right. As we understood, it was only reasonable to expect that the Corporation would be perfectly willing that people should continue to fish just as they have fished. I do not know that a man fishing on the banks of a stream will make any difference in the purity of the water supply. The view of the Committee was that they should not assent to the insertion of the somewhat vague expression "privileges." But I believe that all that is wanted by my hon. Friend is secured by the clause, and I would advise the House not to accede to the proposal to insert these words, which I may say was not very seriously put before the Committee.

MR. STUART RENDEL: I can assure my right hon. Friend that this is regarded in the locality as a very serious question. The privilege of fishing has, as my hon. Friend has said, been exercised in the district from time immemorial, and it is highly valued. This privilege is in danger of destruction under the Bill. We are not seeking to create anything new; we simply wish to maintain what admittedly exists. It may perhaps seem an unimportant detail to some hon. Members, but it really is an important matter in the district. I hope the promoters will agree to make this concession to local feeling, and surely it is undesirable to leave the matter open to vexatious litigation. I think we ought to press this Amendment.

MR. TIMOTHY HEALY (Longford, N.): May I suggest to my hon. Friend that the words he proposes do not add anything in substance or

force to the clause as it stands? The clause as it stands does not provide for what my hon. Friends want, nor does it give any protection to the class to whom they allude. The clause should read that the Birmingham Corporation shall not interfere with any person fishing in the district, except to prevent the pollution of the streams. The clause as it now stands in no way confers any right, and if the addition suggested by my hon. Friends is made, it will even then confer no right. They ought to secure that when the Birmingham Corporation take any proceedings for trespass, the matter should be investigated in some local Court, so that these Welshmen may not be brought up to London to have the fishing rights tested. In twenty years' time there will be a Corporation in Birmingham that know not Joseph, and they will not know the extent to which the right hon. Gentleman has pledged his word in this House. This Bill is to be passed for all time, and the Corporation might in the future take a very different view of their rights from that which is now expressed.

MR. BRYN ROBERTS (Carnarvonshire, Eifion): The right hon. Gentleman who has charge of this Bill stated that he did not wish to confer any new rights. That may be so, but I think he also admitted that it was intended to commute the existing practice so far as it interfered with the object of the Birmingham Corporation. The existing practice is that the inhabitants have been in the habit of fishing in these rivers, but unfortunately they have no right of fishing. A right of fishing is not acquired by long usage like a right of way, and a right of fishing could never be gained in private waters. But despite that fact fishing has been practised without interruption from time immemorial, and the landlords never would have interfered with these rights, although they may not be legal rights. What we want is that this practice shall run no greater risk of being interfered with by the Birmingham Corporation than by the landlords. The Committee have to a certain extent recognised this fact in giving leases to the tenants, and I think a similar protection ought to be afforded in this matter. I cordially agree with the hon.

Member for North Longford that different words should be introduced in this clause, because the word "privileges" does not mean legal privileges, and will confer no real privileges in this matter. I hope the right hon. Gentleman who is in charge of this Bill will give some undertaking that will satisfy us that this practice, although a practice that is not compassed by law, shall not be interfered with in the future; and moreover that the Birmingham Corporation shall not have the power to interfere with those rights.

MR. SAMUEL EVANS (Glamorgan, Mid): I do not know who is responsible for the drafting of this clause, but it seems to me to be a very onerous one so far as the tenants are concerned. It throws upon them the onus of proving that they have the absolute right of fishing in these waters. In the last line of the clause you have the words, "without interruption by the Corporation"; but to secure that freedom from interruption the tenant must prove that he has the absolute right to the fishing. This right does not exist, but it has been a custom from time immemorial, and we desire that these people should remain undisturbed, and that a right shall be given to them by Parliament to continue the practice of fishing in these waters. I hardly think the alteration proposed will meet the circumstances of the case; and I think it would be much better if the clause were made to read—

"The Corporation shall not interfere with any person fishing or cutting fern or turbary unless for the purpose of preventing pollution, or subject to the bye-laws authorised by this Act."

If the clause were passed in some such form as that anyone could claim the right or privilege of fishing, and it could be established in a Court of Law. The right should be given to the tenants to go on that land and fish in these waters as they have been in the habit of doing. The clause should not be agreed to as it stands, and I hope the right hon. Gentleman (Mr. Chamberlain) will be willing to communicate with those who are interested on behalf of the tenants, and see if a clause cannot be drawn up to meet the case.

*Mr. Bryn Roberts*

MR. LLOYD-GEORGE (Carnarvon, &c.): I should like to point out that the Bill was drafted by the Corporation of Birmingham; that it was submitted to the Board of Agriculture, and was the subject of a local inquiry. I hope the right hon. Gentleman will allow some alteration to be made, so that the Bill may go to the House of Lords in proper form.

MR. J. CHAMBERLAIN: An appeal has been made to me, but I thought that the whole of the facts and reasons had been stated by the right hon. Gentleman the Chairman of the Committee (Mr. Campbell-Bannerman). But the wishes of hon. Gentlemen seem to have changed whilst this matter has been before the House. What the Amendment asks for is not a matter of very great importance. It would not do the hon. Member much good and it would not do us much harm, and if it will shorten this discussion, and the hon. Member will meet me on the matter which proposes to give these gentlemen the right of fishing in the river—that provision would be absolutely impossible, because it would take away from the Corporation the control of the water—but if he will meet me on that I will meet him on this. Now, the question has been widened by the hon. Member for North Longford (Mr. T. M. Healy), who has taken the Welsh Members under his charge, and constituted himself their voluntary legal adviser. He proposes to transform some doubtful privileges into an absolute and inalienable right. As I understand the question, the position which has been taken by the Committee was that they would go to the full extent of the limits of their power in order strictly to reserve any right or privilege that could be shown to exist; but, on the other hand, they thought they would be going beyond their powers if they created any new rights. And, if the hon. Member asks that a new right should be created for the first time at the expense of the Corporation, I cannot agree to it.

\*MR. WINTERBOTHAM (Gloucester, Cirencester): I think I understand that the right hon. Gentleman the Chairman of the Committee (Mr. Campbell-Bannerman) told the House



that while the Birmingham Corporation wanted the Welsh water, they did not want to take the Welshman's fish. As one of those who think that the right of fishing, which the inhabitants have exercised for years, ought not to be interfered with, and understanding the right hon. Gentleman in charge of this Bill (Mr. J. Chamberlain) to say that Birmingham wanted nothing but the pure water, I cannot see why he should not be satisfied with full power to keep the water pure by bye-laws. I hope the hon. Member will press this Amendment to a Division.

MR. CAMPBELL-BANNERMAN : I do not think this is a matter that is worth contending about. The clause says :—

"All rights of fishing in the rivers Elan and Claerwen and their tributaries flowing through the Manor of Grange and the Manor of Builth above the upper end of the upper reservoirs and in the lakes adjacent thereto by the inhabitants of the district and the town of Rhayader and all rights of turbary and of cutting fern and rushes over such commonable land shall be preserved to the said inhabitants as heretofore and without interruption by the Corporation, subject nevertheless to the bye-laws authorized by this Act."

The Committee wished to protect to the full any existing rights, but it is not our business to create new rights or to alter the law so as to make into right what is now only custom.

MR. ABEL THOMAS (Carmarthen, E.) : It seems to me that this clause professes to give what it really does not give. There are no rights of fishing in these waters, and the clause only concedes the right in the future to those who possess it now. I understood that the Corporation was willing to concede this, and it seems to me that the proposition of the hon. Member for North Longford (Mr. T. M. Healy) will give us just what the right hon. Gentleman (Mr. Chamberlain) says he is anxious that the Welsh people should have. It cannot do the Birmingham people any harm, because what they want is only the clear and undiluted water, and the suggestion of the hon. Member for North Longford would exactly meet that. The Welsh people are not going to be trapped into the belief that this clause gives them rights, when, as a matter of fact, it does no such thing. We ought

to have these rights, and I think the Corporation of Birmingham ought to meet the Welsh people in the matter.

MR. P. STANHOPE (Wendesbury) : I have the greatest sympathy with the Welsh Members, but I must say that the proposal of the hon. Member for North Longford amounts really to a new clause to protect these fishing rights. I think I can say on behalf of the Committee that this question was most fully and elaborately considered by them. They called before them witnesses able to speak with even more authority than my hon. Friends who are not perfectly acquainted with the localities, and the decision the Committee came to was one which seemed to have gone to the extreme limit in protecting any fishing rights which exist.

MR. GEDGE (Stockport) : I would suggest that it is a pity to waste ten or fifteen minutes in a Division on this point. I think the right hon. Gentleman might very well agree to this Amendment, which after all makes no legal difference, and let us come to the third of these Amendments, which covers the point we are now discussing.

MR. ARTHUR WILLIAMS (Glamorgan, S.) : It seems to me that we cannot deal with the question properly on this Amendment, and I think we had better come as soon as we can to the Amendment which raises the question. My own impression is that when we come to look practically at this question we shall find that the only way to deal with it is to appoint a Board of Conservancy for the whole of the district, and that these fishing rights shall be vested in this Board.

Question put.

(4.20.) The House divided :—Ayes 126 ; Noes 171.—(Div. List, No. 144.)

On Motion of Mr. THOMAS ELLIS, the following Amendment was agreed to :—Clause 53, page 44, line 26, after "thereto," to insert "hitherto enjoyed."

MR. THOMAS ELLIS : I beg to move the insertion after "Act," in page 44, line 30, of the words which stand in my name. The purpose of my Amendment is to create in the reconst-

voirs in the common land the right of fishing for the people who live in the town of Rhayader. I understand from the expressions which have fallen from the right hon. Member for West Birmingham (Mr. J. Chamberlain), and from a Paper which was circulated among Members this morning, that two great objections are taken to this Amendment. The first is, that it creates a new right; the second, that it does not safeguard the purity of the water in the reservoirs. In regard to the first objection, this is not the only new right created, or proposed, to be created, by the Bill; for after the passing of the Bill Birmingham obtains a property in the heart of Mid-Wales which will have a value for them in a few years of from three-quarters to one and a half millions. That is creating a new right and property which few Acts of Parliament have created for any Municipality. What we ask for is a *quid pro quo* for the people in this district, and I think it is a fair claim. By the preceding clause the Corporation admits that the people who live in this district have had, and should have, safeguarded to them in the future the right of fishing in the streams and lakes within the area of the common land. In this Amendment I ask for no right of fishing in reservoirs which will be made on land which will become the private property of the Corporation. They propose ultimately to make six or seven reservoirs, two or three of which will be in the area of the common land, and in these reservoirs, on common land created by the streams running through common land, where the people have hitherto had the right of fishing, I ask the House to vote that they should continue to have the right of fishing, and so give the people a simple and small *quid pro quo* for the loss they sustain by the passing of the Bill. I do not think the second objection will hold water; for by the preceding clause the House gives power to the people of the district to fish along the Elan and Claerwen for many miles in the water which will fill the reservoirs. This fishing will be safeguarded by bye-laws to secure the purity of the water in the streams, and surely the same bye-laws will efficiently safeguard the purity of the water in the reservoirs.

*Mr. Thomas Ellis*

I would also venture to appeal to the House on the ground of experience. In the Great Vyrnwy lake in Montgomeryshire, made by the Corporation of Liverpool, fishing with rod and line is granted by the Corporation to gentlemen from Liverpool, but is not given to any of the inhabitants of the district who had been fishing for years in the valley now submerged, and yet they would no more pollute the water than the gentlemen from Liverpool. Therefore, from the point of view of a simple *quid pro quo*, and from the point of view of the experience in connection with the Vyrnwy Lake, and from the fact that no pollution could take place if the bye-laws were carried out, I appeal to the House to give these people the right of fishing with rod and line in those two or three reservoirs subject to the bye-laws to be made by the Corporation.

Amendment proposed,

Clause 53, page 44, line 30, after "Act," insert "And whereas some portion of the commonable lands and the streams running through the same will be acquired for reservoirs, it is hereby provided that, in lieu of the rights and privileges of fishing in the streams so acquired, the inhabitants of the district and of the Town of Rhayader shall have and enjoy free right of fishing with rod and line on the banks of the upper reservoirs on the Elan and Claerwen, subject to the bye-laws authorised by this Act."—(*Mr. Thomas Ellis.*)

Question proposed "That those words be there inserted."

(4.40.) MR. J. CHAMBERLAIN: I am sorry that I cannot agree to this Amendment, as it would seriously interfere with the rights of the Corporation of Birmingham. The hon. Member says it is a *quid pro quo* for something the people are expected to give up. They are expected to give up not the right, but the privilege or practice they have enjoyed on sufferance in so much of these small streams as will be needed for the purposes of the formation of the reservoir. That privilege is an almost infinitesimal one. There is no talk of taking away any right they have enjoyed generally, but only from that portion which will be required for the reservoir. Anybody who knows anything about these Welsh streams knows that the fish in them are extremely small, though they give very good sport, as I know by experience.

But if you are to substitute for these streams—where the fish are only two or three inches long—a reservoir in which pond trout of good size will be cultivated, the fishing will be a privilege which will be tremendously prized; and if the Corporation were bound to create a new right and let anybody who pleased go and fish in the reservoir, they would be establishing an interest in their property which would do them the greatest possible injury. I think we have sufficiently safeguarded the fishing by reserving all the rights and interests in the streams, and it is a little too much to ask that everybody should have a free right to enter on the works of the Corporation for fishing purposes.

(4.43.) MR. KENYON (Denbigh, &c.): The right hon. Gentleman takes a view of this matter which the case hardly warrants him in doing. May I venture to give the right hon. Gentleman a little piece of advice? He is one of the great pillars of law and order; and I would recommend him to grant this right to the people, for the sole reason that if he does not grant it they are extremely likely to take it themselves. The gentlemen in the neighbourhood are known to be extremely devoted to the sportsman-like art of fishing—not always, I am afraid, with rod and line—and I think, in the interests of law and order, I would recommend him to consider the question and accept the Amendment. I will not be responsible for the evils which may arise if he does not accept the Amendment.

(4.45.) MR. LLOYD-GEORGE: Will the right hon. Gentleman not consent to a provision preventing a gate or trap being placed at the entrance to the reservoir, which would let the fish from the stream get into the reservoir, but would prevent them getting back into the streams?

MR. J. CHAMBERLAIN: That is an entirely different matter, and I shall be very glad to consider the suggestion of the hon. Member.

(4.47.) MR. STOREY (Sunderland): I voted with the Welsh Members, but as I cannot sacrifice common-sense on the altar of friendship, I cannot vote for this Amendment. The reservoirs would be made at the expense of

Birmingham; and if there should be any fish in them worth catching, they would be put there by the Corporation, and there is no doubt the Corporation will stock the reservoirs with trout. The Amendment proposes that the inhabitants should go along the banks of the reservoirs for fishing purposes, but anybody knows that few fish would be caught that way; it is necessary to go out in a boat, and that would be an invasion of the rights of the owners which I cannot support. There is one point I should like to refer to. When the reservoirs are stocked with trout no gate or trap would prevent the fish getting up the streams when a flood came, and I would suggest to my Welsh friends that they will get their compensation in that way. I do not quite agree that the trout in the Welsh streams are so small as suggested by the right hon. Member for West Birmingham. If they are, I am surprised that the right hon. Gentleman went, even for once in his life, after such small fry. It is very certain that the larger fish from the reservoirs will get up the streams, and the compensation of the people in the district will be that they will get a better class of fish.

(4.50.) MR. DILLWYN (Swansea, Town): I wish to remove any misapprehension which the House may be under in consequence of the speech of the right hon. Gentleman the Member for West Birmingham. I have fished in both these streams, and, instead of fish only two or three inches long, I have taken many fish over a pound in weight.

(4.51.) THE SECRETARY TO THE ADMIRALTY (Mr. FORWOOD, Lancashire, Ormskirk): I can give the House some information on an analogous case. The Corporation of Liverpool impounded the head waters of the Vrnwy River, of course disturbing the fishing rights, and they reserved full control of the fishing rights on the lake so formed. They have stocked the lake, and have let the fishing under very strict supervision so that there may be no injury to the water. What was accorded to Liverpool ought to be accorded to Birmingham.

Question put.

(4.50.) The House divided:—Ayes 102; Noes 208.—(Div. List, No. 145.)

Bill to be read the third time.

### QUESTIONS.

#### COLOUR SERGEANT FINN'S PENSION.

COLONEL NOLAN (Galway, N.): I beg to ask the Financial Secretary to the War Office if he will explain why Colour Sergeant Finn, of the 1st Volunteer Battalion, Cheshire Regiment, was discharged with a pension of sergeant instead of one of colour sergeant, after twenty-six years' service, in view of the facts that it is usual in such cases to give a colour sergeant's pension, and that Sergeant Wallace of the same battalion received a colour sergeant's pension?

\*THE FINANCIAL SECRETARY TO THE WAR OFFICE (Mr. BRODRICK, Surrey, Guildford): The case of pensioner Finn has been referred back to the Commissioners of Chelsea Hospital for re-consideration, with the view to the amendment of the pension.

#### THE WRECK ON BRIGG'S REEF.

COLONEL WARING (Down, N.): I beg to ask the President of the Board of Trade whether he is aware that the lifeboat authorities at Groomsport, as well as the coxswain and crew of the lifeboat, are of opinion that the wreck of the iron ss. *Emily*, wrecked in 1889 off Groomsport, would be a source of great danger to the lifeboat, especially at night, were the services of the crew required to assist a vessel on Brigg's Reef; and whether, as the conical buoy placed by the Commissioners of Irish Lights to mark this wreck is useless as a warning at night, and the cost of clearing away the wreck would be small, he will give directions for its removal forthwith?

THE PRESIDENT OF THE BOARD OF TRADE (Sir M. HICKS BEACH, Bristol, W.): I must refer the hon. Member to the answer I gave last week on the 16th instant to the hon. Baronet the Member for East Norfolk (Sir E. Birkbeck). I have no power to give any direction with respect to the wreck of the *Emily*, except upon a recommenda-

tion from the Commissioners of Irish Lights, and no such recommendation has been made to me.

COLONEL WARING: Arising out of the right hon. Gentleman's answer, I beg to ask whether he is aware that his officer who made the inspection, or who ever supplied him with the information, ever went near the place; and also whether it is a fact that another steamer has since been wrecked upon the same spot?

SIR M. HICKS BEACH: The officer who made the inspection is not my officer, but the officer of the Commissioners of Irish Lights, and I know nothing about the later wreck to which the hon. Gentleman refers. I would really advise the hon. Gentleman to communicate with the Commissioners of Irish Lights on the subject.

COLONEL WARING: Will the right hon. Gentleman with his experience of Ireland explain how it is possible to overcome the *vis inertia* of these officers?

#### BRITISH TRADE WITH BRAZIL.

SIR J. LUBBOCK (London University): I beg to ask the President of the Board of Trade whether there would be any objection to state to the House the present state of the negotiations with Brazil as regards the preferential treatment accorded to the United States, and with the United States as regards the preferential treatment accorded to Brazil?

SIR F. MAPPIN (York, W.R., Hallamshire) had notice of the following question: To ask the Under Secretary of State for Foreign Affairs whether he is aware that, in consequence of a Treaty, ratified in April, 1891, between the respective Governments of the United States of America and Brazil, goods from the former country are admitted into the latter country duty free, while the same description of English goods are subject to a duty varying from fifteen to twenty-five per cent.; and whether any steps are being taken by the English Government to place the manufactures of this country upon the same favourable footing?

THE UNDER SECRETARY OF STATE FOR FOREIGN AFFAIRS (Mr. J. W. LOWTHER, Cumberland, Penrith): Perhaps the hon. Member



for Hallamshire will permit me at the same time to answer his question. On the 19th February I answered a question of a similar character put by the hon. Member for North Manchester. I then informed him that communications had been made to the Government of Brazil, but that that Government had not been willing to enter into negotiations for a Commercial Treaty with this country; and I have nothing to add to that answer. With regard to the last sentence of the hon. Baronet's question, which only appeared on the Paper this morning, I have to say that no preferential treatment is being accorded by the United States to Brazil. No differential treatment is accorded to British goods as compared with Brazilian, and consequently no negotiations have been entered into on that subject.

SIR J. LUBBOCK: Do I understand that Brazil is accorded no preferential treatment by the United States?

MR. J. W. LOWTHER: The position of the matter is this: that Brazil gives preferential treatment to the United States as compared with goods which go from this country to Brazil; and the United States gives no preferential treatment to Brazil as compared with goods that go from this country to the United States.

#### RAILWAY RATES.

MR. H. H. FOWLER (Wolverhampton, E.): I beg to ask the President of the Board of Trade whether any applications have been made by the Railway Companies to postpone further the operation of the Railway and Canal Traffic Act, 1888; and whether, before taking into consideration such application, the Board of Trade will give the traders an opportunity of stating their case in opposition to such postponement?

SIR M. HICKS BEACH: I have received an application to postpone the operation of the London and South-Western Railway Rates Provisional Order Act until the 1st January next, at which time the schedules in the Provisional Orders now before Parliament will come into operation, and I have reason to believe that similar applications are likely to be made in

the case of the other Railway Companies whose schedules were settled last year. It seems to me *prima facie* desirable, for many reasons, that all the schedules should come into operation at the same time. But I shall be happy to receive and consider any representations which may be made to me on behalf of the traders against such a course.

#### POLITICAL ECONOMY IN THE DIPLOMATIC SERVICE.

MR. LEVESON-GOWER (Stoke-upon-Trent): I beg to ask the Under Secretary of State for Foreign Affairs whether the attention of Her Majesty's Government has been drawn to the speech delivered by Lord Dufferin at the annual dinner of the British Chamber of Commerce in Paris, wherein His Excellency is reported to have said—

"In modern times a very proper prominence is given in entrance examinations to political and economic subjects. Every year the Secretaries of all our Embassies are required to produce an elaborate Commercial Report, a duty which, as I have been able to judge, is carried out with zeal and diligence. Every week in Foreign Embassies our attention is drawn by the Foreign Office to questions affecting English trade with other countries";

and whether, in view of this statement by Her Majesty's Ambassador at Paris, the Government will consider the desirability of re-introducing Political Economy—which they have expunged from the list of compulsory subjects—as one of the necessary subjects for the entrance examination for the Diplomatic Service, so as to ensure that members of the Diplomatic Service, whether at home or abroad, may be acquainted with at least the rudiments of that science?

MR. J. W. LOWTHER: Lord Dufferin appears to have overlooked the change which has recently been made in the subjects of examination. They were adopted after very careful consideration as those best calculated to test the real qualifications of the candidates, and to afford as little room as possible for "cramming." There do not appear to be any sufficient reasons for making further change, but consideration will be given to the best means of encouraging the members of the Diplomatic Service to study

such branches of Political Economy as would assist them in the preparation of their Commercial Reports.

MR. LEVESON-GOWER: Might it not be arranged that the examination in Political Economy should be placed on the same basis as the examination in International Law?

MR. J. W. LOWTHER: Yes, I think that would be a very desirable way of meeting the views of the hon. Gentleman and of many others who take an interest in this matter. It will require some careful consideration before it can be finally settled, and probably the Treasury will have to be consulted with regard to it; but it is in that direction the opportunity for examination will be afforded.

#### POLYNESIAN LABOUR IN QUEENSLAND.

MR. SAMUEL SMITH (Flintshire) hon. I beg to ask the Under Secretary of State for the Colonies whether his attention has been drawn to a letter from Admiral Erskine on the Polynesian labour traffic, which appeared in the *Times* of Saturday last, stating, as the result of three years' experience in command of the Australian Squadron, that—

"Even under the most stringent regulations wrongs and abuses occur in connection with the labour traffic, which invariably lead to bloodshed and accompanying complications and reprisals";

and whether, in view of the statement made by Admiral Erskine that, under the terms of the protectorate which he was authorised to promulgate,

"It was declared that the natives of New Guinea should not be taken from their country and compelled, under arrangements and contracts which they cannot possibly understand, to labour continuously for three years on Queensland plantations,"

the Government are taking any measures to protect the natives of New Guinea from being imported into Queensland?

THE UNDER SECRETARY OF STATE FOR THE COLONIES (Baron H. DE WORMS, Liverpool, East Toxteth): My attention has been drawn to the letter referred to by the hon. Member. It will be observed that the very valuable experiences of Admiral Erskine were confined to a period during which the irregularities con-

nected with the labour traffic have been admitted. If the hon. Member will refer to page 210 of the Parliamentary Paper C, 5091-1, Vol. 2, he will see that—

"No deportation of natives is allowed either from one part of the territory to another, or to places beyond the territory, except under ordinances reserved for Her Majesty's assent and assented to by Her Majesty."

The removal of natives from the island is prohibited by a law passed in Queensland in 1887 as well as by a law passed in New Guinea in 1888. The latter will be found at page 234 of the Parliamentary Paper C, 5883.

MR. S. SMITH: In connection with that answer, may I ask whether the attention of the right hon. Gentleman has been drawn to a letter by Admiral Scott, the present commander of the *Pacific*, in which he expresses his regret at the proposal to introduce this labour traffic from that Colony into the country, no power being given for looking after the interests of the natives?

\*BARON H. DE WORMS: I think the Admiral is in error. I have already said that the natives cannot be sent from New Guinea to Queensland.

MR. CLONINGHAM GRAHAM (Lanark, N. W.): What I want to know is whether, as a matter of fact, it is true that numbers of black people are at this moment being recruited from New Guinea, and also whether Her Majesty's Government have informed themselves that Clause 78 of the new Act of the Queensland Legislature requires that an armed boat should accompany the recruiting parties to the various islands?

\*BARON H. DE WORMS: I was not aware that recruiting is now going on in New Guinea. In fact, I have said that it is not going on. I do not think that the second part of the question arises out of the question on the Paper. An armed boat is required to accompany the recruiting parties for the purpose of protection.

MR. S. SMITH: I beg to ask the Under Secretary of State for the Colonies question No. 11, and perhaps allow me to put it in the following manner: Whether he is aware that the

Mr. J. W. Lowther

tive Assembly of Melbourne passed a Resolution yesterday, without a dissentient voice, condemning the action of the Queensland Parliament in proposing to renew the importation of Kanaka labourers into the colony, and urging the Government to resort to all the means in their power to render the protest of the Legislative Assembly of Melbourne effective; and whether Her Majesty's Government will re-consider their intention of not disallowing the Act of the Queensland Legislature?

\*BARON H. DE WORMS: The attention of Her Majesty's Government has not been officially drawn to the notice referred to, and to the resolution which it would appear, from a telegram in this morning's *Times*, has been carried; but the hon. Member will see that the question raised by that resolution is one which, however important, must be settled by these great colonies among themselves without the intervention of Her Majesty's Government. It may also be observed that this resolution is not framed against native employment on humanitarian grounds, but is against all foreign labour, coolie or native.

MR. S. SMITH: May I ask the right hon. Gentleman, in connection with that answer, whether the Australian Colonies possess any means of preventing Queensland from renewing this labour traffic except through the intervention of the Home Government?

\*BARON H. DE WORMS: Certainly not. I am sure the hon. Member will see that a resolution passed by the Victorian Parliament could not—although, of course, it would be treated with all respect—influence Her Majesty's Government in the direction of not assenting to a Bill passed in Queensland.

MR. CUNINGHAME GRAHAM: As this case involves, in the opinion of many, gross barbarities and a large quantity of bloodshed among these islanders, I should like to ask the right hon. Gentleman whether this House or the Government has any power to veto—or has got any means of signifying their displeasure, should that be

the pleasure of the House—this Act being put in force?

MR. JOHN ELLIS (Nottingham, Rushcliffe): I beg to ask the Under Secretary of State for the Colonies whether the Colonial Office has in its possession the figures of the number of Polynesian Islanders landed in Queensland during each of the years 1886, 1887, 1888, 1889, and 1890; the percentage of deaths among the islanders working on the plantations during each of those years; and the numbers returned to the Islands during each of those years; and, in that case, will he state them to the House?

\*BARON H. DE WORMS: The numbers of those landed and returned are as follows:—Landed: 1886, 1,505; 1887, 1,988; 1888, 2,291; 1889, 2,039; 1890, 2,459. Returned: 1888, 1,292; 1889, 1,814; 1890, 1,373. We have no Return from the colony showing the percentage of mortality asked for by the hon. Member. The total number of deaths reported to the Polynesian Department for the years 1886-90 inclusive will be found at Page 54 of the Blue Book just presented. If more precise information is required, the necessary Return will be obtained from the colony.

MR. JOHN ELLIS: I understand the Colonial Office have no information with respect to the mortality other than is in the Return circulated this morning?

\*BARON H. DE WORMS: That is so.

MR. JOHN ELLIS: The right hon. Gentleman is quite aware that it is admitted that the figures are not wholly sufficient?

\*BARON H. DE WORMS: Those are the only Returns we have. If he wishes to have a further Return, I will speak to my noble Friend the Secretary of State.

#### PARCEL POST BASKETS.

MR. CAUSTON (Southwark, W.): I beg to ask the Postmaster General whether the baskets used for Parcels Post and general Post Office work are now made and repaired on Government premises; and, if so, whether the work is done direct by Government employees or by private contractors on the Government premises; what a the.

rate of wages paid by either, or both, Government and contractors; and is the rate up to the recognised standard rate paid by employers in the open market?

**THE SECRETARY TO THE TREASURY** (Sir J. GORST, Chatham): My right hon. Friend is absent on important public business, and he has asked me to answer this question, and to say that no new Parcel Post baskets are at present manufactured on Government premises in Great Britain, but a large number are repaired by workmen employed directly by the Department at its factory at Mount Pleasant, Clerkenwell. All the men, with two exceptions, receive fixed wages of sevenpence an hour, and they work fifty-four hours a week. They are kept in constant employment throughout the year, and have the advantage of a fortnight's holiday without loss of pay. The supply of baskets is divided between the Board of Works and the Post Office, according to sorts. The Office of Works purchases some from prisons, and also employs a contractor, who has been informed of the Resolution of the House of Commons. There are some also manufactured at certain Asylums for the Blind. In Ireland some of the baskets used by the Department are made and repaired at the Mountjoy Prison, and the Department pays certain fixed prices for this work.

#### THE EGYPTIAN DEBT.

**MR. WOOTTON ISAACSON** (Tower Hamlets, Stepney): I beg to ask the Under Secretary of State for Foreign Affairs whether Her Majesty's Government, considering the present favourable opportunity, will urge on the Egyptian Government the necessity of converting the Domain Loan into a Three-and-a-half per Cent. Stock similar to the Privilege Stock, thus effecting a saving of £75,000 per annum, and completing the financial programme of Egypt?

**MR. J. W. LOWTHER**: The Egyptian Government has most able financial advisers of its own, who have successfully carried out a very large scheme for the conversion of the Unified Debt. This was done of their own initiation and unaided by Her Majesty's Govern-

ment. Under these circumstances, Her Majesty's Government do not consider their intervention to be called for.

#### CASE OF ANDREW MORGAN'S WIDOW.

**MR. PATRICK O'BRIEN** (Monaghan, N.): I beg to ask the First Lord of the Admiralty whether the Lords Commissioners of the Admiralty have received a memorial on behalf of Mary Morgan, aged fifty-seven, widow of Andrew Morgan, late coastguard in charge of Millisle Station, praying for pension or other assistance to enable her to support herself and two helpless children, now in a destitute condition; and whether, considering that Mrs. Morgan's claim has been supported by the Inspecting Commander of Donaghadee Coastguard Division and the Captain of H.M.S. *Belleisle*, and that Morgan entered the Navy in 1852, served at Sebastopol, and was awarded medals for bravery in battle, and for life saving and good conduct in the Coastguard Service, and would have been entitled under the Rules of the Service to a pension of £62 per annum and a good conduct gratuity of £20 had he lived six months longer, the Lords Commissioners of the Admiralty will favourably consider the claim of this woman, and grant her such remuneration as will enable her to support herself and her children without having recourse to the workhouse?

**THE FIRST LORD OF THE ADMIRALTY** (Lord G. HAMILTON, Middlesex, Ealing): Mrs. Morgan's application for assistance has been considered by the Admiralty, but, so far as I know, no pension or gratuity can be granted out of Naval or Greenwich Hospital funds to her. The widows and children of seamen and marines are not entitled to receive any such assistance, unless the husband or father is killed on duty or dies from the direct effects of extraordinary exposure or exertion on service. The late Andrew Morgan's death was due to natural causes, and the Admiralty have so far been unable to accede to the widow's petition for direct assistance.

*Mr. Causton*



## IRISH POST OFFICE ASSISTANTS.

DR. TANNER (Cork Co., Mid): I beg to ask the Postmaster General whether attention will be paid to the claims of the Irish Post Office assistants who perform the general work of the General Post Office and are not recognised by the Department; whether, many have upwards of eight years' service, and do from ten to fourteen hours daily, and frequent night work; whether these assistants are engaged and dismissed by the Postmaster; and whether, under the circumstances, an inquiry will be made into the alleged grievances with a view to their redressal?

SIR J. GORST: My right hon. Friend has asked me to answer this question. Assistants are employed by the Postmaster of the smaller post offices in Ireland in the same way as in England and Scotland, and are usually young persons in training for established appointments, which they often receive after a comparatively short period of service. In fact, it is a common complaint of Postmasters that, after having trained their assistants, they cannot retain them, as they so quickly obtain appointments elsewhere. There may be cases in which assistants have, for one reason or another, not obtained appointments—possibly have not desired or deserved them—and have remained in their original employment as long as stated; but it is not known that their hours are unduly long, and no complaint has been received on the subject. Assistants are often occupied partly in the post office and partly on the private business of the Postmaster, whose servants they are, and by whom their services are engaged and dispensed with. It is not thought that there are any general grievances of the kind alleged, but if any particular office can be specified in which hardship is believed to exist, inquiry will be made with a view to its removal.

DR. TANNER: Is the right hon. Gentleman aware that a memorial has been recently forwarded from the local post offices, signed by upwards of two hundred and forty of these Irish Post Office assistants, calling attention to these grievances? I wish to ask the right hon. Gentleman whether, in

view of the fact that this memorial has been sent forward and has been received by the Post Office, it will receive the consideration due to it and to these men?

SIR J. GORST: No; I gather that my right hon. Friend knows nothing at all about that. But if any such memorial has been received no doubt it will be considered.

## ACCOMMODATION FOR STRANGERS IN THE HOUSE.

DR. TANNER: I beg to ask the First Commissioner of Works if he will consider whether it is possible to provide accommodation for overcoats, umbrellas, &c., for strangers under the Gallery and in the Distinguished Strangers' Gallery?

THE FIRST COMMISSIONER OF WORKS (Mr. PLUNKET, Dublin University): I have considered the matter very carefully, and consulted the authorities of the House on the subject, but I am sorry to say that there is really no place where provision could be made for such accommodation for strangers under the Gallery and in the Distinguished Strangers' Gallery. I should be very glad to provide such accommodation if I could, but really I have no means of doing so.

## MAILS FOR THE NORTH-WEST OF IRELAND.

MR. JORDAN (Clare, W.): I beg to ask the Postmaster General why the mails for the north-west of Ireland are so long delayed at Dundalk; and why after their arrival at Enniskillen letters are so long in being delivered that it is impossible to reply by mid-day mail to the English correspondence?

SIR J. GORST: My right hon. Friend the Postmaster General has asked me to state that he has not received the information which would enable him to answer the question, and that he will communicate with the hon. Member when he has received it.

## CADASTRAL SURVEY OF BEHAR.

SIR ROPER LETHBRIDGE (Kensington, N.): I beg to ask the Under Secretary of State for India whether he is aware that the Bengal Board of Revenue, and very nearly all the divi-

sional and district officers of Bengal, who have been consulted about the proposed Cadastral Survey of Behar, have reported in a sense adverse to it; whether protests against the undertaking have been received by the Lieutenant Governor of Bengal from all the leading Native Associations of the Province, including the Association representing the occupying tenants as well as that representing the landholders; whether the recorded opinions of the Board of Revenue, of Mr. Secretary Cotton, of Mr. Halliday, and of the other leading officials of Bengal, together with the memorials of the various Native Associations of the Province, will be considered by the Secretary of State before finally sanctioning the survey; and whether copies of those opinions and memorials will be laid upon the Table of the House?

**THE UNDER SECRETARY OF STATE FOR INDIA** (Mr. CURZON, Lancashire, Southport): The Secretary of State has seen the Reports of the Board of Revenue and other Bengal officers, some of which doubt the expediency of the survey. I stated the other day, in answer to a similar question, that representations against the survey had been received and publicly answered by the Government of Bengal. The Reports in question, with the exception of Mr. Cotton's, which has not been received, have been considered by the Secretary of State, and are included in the Return now being printed. Copies of the memorials of Local Bodies have not yet reached the Secretary of State, though he has seen mention of them in the newspapers.

#### SALARIES OF INDIAN SCHOOL INSPECTORS.

**SIR ROPER LETHBRIDGE:** I beg to ask the Under Secretary of State for India whether the actual salary of the Rai Radhika Prasanna Mukarji, Bahadur, formerly a Deputy Inspector of Schools in the subordinate education service of Bengal, who was promoted to be an Inspector of Schools in the superior or graded service for long and exceptionally meritorious work, was the ordinary salary of the grade to which he was promoted; will he state what is the amount of

the annual yearly increment of salary in that grade, to which every European officer so appointed is entitled; what amount of annual yearly increment of salary was recommended by the Director of Public Instruction to be granted to the Rai Bahadur; what amount was actually sanctioned for him; and how much less has he received, in consequence of these orders, since his promotion, than what he would have received if he had been a European officer?

**MR. CURZON:** A European appointed by the Secretary of State as Inspector of Schools in the graded service receives Rs.500 a month, rising annually by Rs.50 a month to Rs.750. A native receives under the rules two-thirds of these amounts—namely, Rs.333, rising to Rs.500. The Rai Bahadur, a Deputy Inspector of Schools, was receiving Rs.460 a month when promoted, and he continued to draw that amount after promotion, with a special annual increase of Rs.10 a month for every year in the graded service. The recommendation of the Director General of Education was that natives promoted to the graded service, instead of coming under the two-thirds rule, should rise on the same scale as Europeans to the third grade, but should be ineligible for promotion to the second or first grades; but this plan was not adopted. The officer in question appears to be drawing Rs.570 a month. A European, appointed at the same time, would be drawing the maximum of Rs.750.

**SIR ROPER LETHBRIDGE:** Arising out of that answer, I should like to ask the hon. Gentleman if the Secretary of State will take the opinion of the Local Authorities as to the advisability of granting this exceptionally meritorious officer the same terms as he would have obtained if he had been a European officer?

**MR. CURZON:** I shall be glad to answer that question if the hon. Gentleman gives notice of it.

#### POST OFFICE DEPOSITS IN IRELAND.

**MR. O'KEEFFE** (Limerick City): I beg to ask the Chancellor of the Exchequer what is the amount of Post Office deposits in Ireland and the rate

*Sir Roper Lethbridge*

of interest allowed on same to the depositors; what is the amount of loans issued by the Board of Works in Ireland, and the rate of interest charged to public Boards in that country, on advances; and if he will state what is the average profit made by the Board of Works in advancing Irish money for Irish undertakings?

MR. GOSCHEN: The amount of Post Office Savings Bank deposits in Ireland on 31st December, 1891, was £3,966,000. The rate of interest allowed on deposits in the Post Office Savings Bank is two-and-a-half per cent. per annum; but the expenses of administration amount to about a half per cent.—making a total expense of about three per cent per annum. The deposits in the Post Office Savings Bank are invested in British Government Securities, and the rate of interest earned is barely more than sufficient to cover the three per cent. for interest and expenses. The amount of loans made by the Irish Board of Works and outstanding on 31st March, 1891, was £7,700,000 in round figures. The rates of interest charged on such loans range from three-and-an-eighth to five per cent.; but the average rate of interest actually received is less than three-and-a-quarter per cent. The loans made by the Board of Works are made out of the Local Loans Fund, which is Imperial, and not specially Irish. If the hon. Member wishes to have further information about the amount of profit or loss made on loans in Ireland, I will make further inquiries.

#### CURE FOR SHEEP SCAB.

DR. TANNER: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether any further steps will be taken in Ireland to stamp out the disease of sheep scab; whether he is aware that this disease has been successfully overcome in Australia and New Zealand; and why more effective steps have not been taken in Ireland by the Veterinary Department to provide some remedy against this disease?

THE CHIEF SECRETARY FOR IRELAND (Mr. JACKSON, Leeds, N.): I am not aware of any necessity for further steps in regard to the sheep scab in this question. Ample pro-

visions are at present in force for dealing with the disease, if duly carried out by the Local Authorities and owners of sheep. These provisions render necessary an immediate notification of the existence of the disease, then a continuing report thereon by the local Veterinary Inspector, to be made both to the Local Authority and to the Veterinary Department. Owners are required to apply remedial treatment, and the Local Authorities have large powers to secure complete isolation of affected or suspected sheep. Numerous prosecutions have been instituted by the police at the instance of the Veterinary Department where owners have failed to report the existence of the disease. I have no official information as to whether the disease has been successfully dealt with in Australia and New Zealand.

DR. TANNER: I beg to ask the right hon. Gentleman whether he has received a communication from the President of the Agricultural Society dealing with the question, and whether in view of the fact that the disease has been successfully overcome in Australia and New Zealand, the remedy which has been found successful in those countries cannot be obtained and extended to Ireland for the benefit of the sheep dealers, notably in the Counties of Cork and Galway?

MR. JACKSON: I am not aware that any information on the subject has been received, but if any information is received I shall be only too glad to communicate it.

DR. TANNER: Will the right hon. Gentleman have inquiry made of the President of the Board of Agriculture, and find out what is the best remedy, and if possible place it at the disposal of the Veterinary Authorities in Ireland?

MR. JACKSON: Yes, Sir.

#### MR. LERESCHE AND THE PENDLEBURY COLLIERIES.

MR. ROBY (Lancashire, S.E., Eccles): I beg to ask the Secretary of State for the Home Department whether his attention has been called to the statement which was made by Mr. J. H. P. Leresche, Stipendiary Magistrate, in the course of hearing a charge of assault at the County Police

Court, Manchester, on Tuesday, the 10th inst.—

"The colliers of Pendlebury have for a long time past been notoriously devoid of moral sentiments, and have thought they can do just as they like";

and to the fact that Mr. Leresche, having been requested by the miners' agent of the district to withdraw his statement, has declined or omitted to do so, and has not denied the accuracy of the report of his words; and whether it is his intention to take any notice of the language used by Mr. Leresche?

MR. MATTHEWS: I have called the attention of the learned Stipendiary Magistrate to this question, and he informs me that he did not at any time, either in so many words or in substance, use the language imputed to him; and that he has been frequently assured by those who were in Court at the time that the words were never used by him. It is not my intention to take any action in the matter.

#### LICENSING CLUBS AND PUBLIC-HOUSES.

MR. SUMMERS (Huddersfield): I beg to ask the Chancellor of the Exchequer whether he is able to form any estimate as to what would be the probable effect on the Revenue of placing clubs where intoxicating liquors are consumed, in the matter of Licence Duty and Inhabited House Duty, on a footing similar to that now occupied by the premises of licence holders?

THE CHANCELLOR OF THE EXCHEQUER (Mr. Goschen, St. George's, Hanover Square): I am sorry I cannot form any estimate as to what would be the effect on the Revenue of placing clubs where intoxicating liquors are consumed on a footing similar to that now occupied by the premises of licence holders.

#### WEST INDIAN TARIFFS.

MR. SUMMERS: I beg to ask the Under Secretary of State for the Colonies when the Papers with reference to the tariffs of the West Indian Colonies, which were promised on 17th March, will be distributed to Members?

\*BARON H. DE WORMS: The Paper had already been sent to press when a fire occurred at the printers', by which

the type was destroyed. The type is being re-set, but I cannot yet say when it will be possible to distribute the Paper.

#### THE JEBU EXPEDITION.

MR. SUMMERS: I beg to ask the Under Secretary of State for the Colonies when the Papers with reference to the negotiations and disputes with the Jebus, which were promised on 24th March, will be distributed to Members?

\*BARON H. DE WORMS: It is proposed to give the Papers as soon as despatches reporting the recent occurrences have been received and considered by Her Majesty's Government. Until these Papers can be given the correspondence will necessarily be incomplete.

#### GUNNERY DRILL SHIP AT SHEERNESS.

MR. HERBERT KNATCHBULL-HUGESSEN (Kent, Faversham): I beg to ask the First Lord of the Admiralty whether it is intended that a battleship is to be stationed at Sheerness as tender to the new gunnery establishment at the Naval Barracks?

LORD G. HAMILTON: The question of fitting a ship for drill purposes in connection with the Gunnery School at Sheerness is now under consideration, and no definite decision has yet been arrived at. The ship so stationed at Sheerness would have a "care and maintenance crew" on board. The gunnery establishment would provide the staff necessary for training.

#### DISTRIBUTION OF BADGES TO POSTMEN.

MR. BROADHURST (Nottingham, W.): I beg to ask the Postmaster General whether he can state when the distribution of good conduct stripes or badges to meritorious postmen, which was promised by his predecessor last Session, will be made?

SIR J. GORST (who replied): The distribution of good conduct stripes has been completed up to date both in London and most of the districts throughout the country. In one district, however—that of Nottingham—it is not quite finished.

*Mr. Roby*



## PROVINCIAL POSTAL INSPECTORS.

**EARL COMPTON** (York, W.R., Barnsley) : I beg to ask the Postmaster General whether he has had under his consideration for some time past the position and scale of pay of Inspectors and Assistant Inspectors of Postmen in provincial offices ; and whether he is able to state what decision has been arrived at ?

**SIR J. GORST** (who replied) : The matter is not yet settled. It is still under the consideration of my right hon. Friend.

**EARL COMPTON** : Is the right hon. Gentleman able to state whether it is likely to be decided before the Estimates come on ?

**SIR J. GORST** : I am afraid I can hardly tell that.

**EARL COMPTON** : I will put another question.

## SOLDIERS AND SHOPS.

**MR. CUNINGHAME GRAHAM** : I beg to ask the Financial Secretary to the War Office if soldiers of regiments are compelled by the War Office Regulations to deal at any particular shop or stores designated by their commanding officers, or if they have the same freedom as other citizens in this respect ?

\***MR. BRODRICK** : A soldier is perfectly at liberty to resort to any available shop or market, unless the commanding officer for some special reason and to safeguard the interests of the men thinks it necessary to declare a particular house out of bounds.

## METROPOLITAN POLICE INSPECTORS' RETIRING FUND.

**MR. CUNINGHAME GRAHAM** : I beg to ask the Secretary of the Home Department whether he has any intention to compel the Metropolitan constables to subscribe to a private retiring fund for Inspectors ; and whether the present voluntary funds have the sanction of the Police Authorities ?

**THE SECRETARY OF STATE FOR THE HOME DEPARTMENT** (Mr. MATTHEWS, Birmingham, E.) : There is no intention to compel the Metropolitan Police to subscribe to a private retiring fund for Inspectors. The pre-

sent subscriptions are purely voluntary, and have the sanction of the Commissioners.

## THE FISHERIES AT LOUISBURG.

**MR. WILLIAM O'BRIEN** (Cork Co., N.E.) : I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he has received a resolution of the Westport Board of Guardians, impressing upon him the importance of having the town of Louisburg, the nearest town to the best fishing grounds on the Mayo coast, connected by telegraph with the Irish and English markets, and urging him to use his influence with the Congested Districts Board to assist in supplying the necessary local guarantee to the Post Office ; and whether, having regard to the extreme poverty of the Westport Union, and its inability to bear any additional local burden, he will make a representation to the Congested Districts Board upon the subject ?

**THE CHIEF SECRETARY** (Mr. JACKSON, Leeds, N.) : The Congested Districts Board have not so far adopted a scheme for the development of fisheries in the immediate neighbourhood of Louisburg. The question, therefore, of whether it would be expedient for them to give a guarantee to obtain a telegraphic extension to that place is not ripe for consideration.

## THE LAND PURCHASE ACT.

**MR. W. O'BRIEN** : I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland if his attention has been directed to the fact that both the landlord and the evicted tenant of the lands of Tearnea, Parish of Ruan, County of Clare, are anxious to avail themselves of the 13th clause of the Land Purchase Act of last Session, but that their application has failed through expiry of time ; is he aware that a police protection party has been maintained on the evicted farm at heavy expense to the Government and to the local ratepayers, and that the dispute has been the cause of considerable disturbance and ill-feeling in the district ; and whether the Government will offer any opposition to a short Bill extending the 13th clause so as to meet such cases ?

**MR. JACKSON:** I have caused inquiry to be made into the case of the evicted tenant referred to by the hon. Member, and find the facts are as follows:—On the 27th July, 1885, the tenant, Robert O'Brien, referred to, was evicted from the lands of Tearna for non-payment of rent. He owed some four years, amounting to £230. The farm after eviction was farmed by the landlord, Mr. P. A. Dwyer. In 1888 his caretaker, Patrick Hallinan, went to live on the farm under police protection, but on the 3rd May the protection was discontinued. Patrick Hallinan left and was without protection till 1st September, 1890, when he was fired at and seriously wounded by John Brodie and Patrick Hartigan, who were convicted on the 22nd December, 1890, and sentenced to twenty years' penal servitude. Robert O'Brien, the evicted tenant, was then arrested on the same charge, and on the 12th March, 1891, was sentenced to two years' imprisonment for conspiracy to murder. I cannot think that this is a case in which the House would feel itself called upon to pass special legislation of the nature in question.

**MR. W. O'BRIEN:** Is the right hon. Gentleman aware that the landlord agreed, if possible, to take advantage of the clause, but that it is impossible for him to do so, and that, in this case, it has been the cause of very considerable disturbances?

**MR. JACKSON:** It is not in accordance with the information that came to me that it has been the cause of disturbances in the district. I do not see how the landlord and tenant could enter into negotiations, because the tenant is at present in prison. But I believe there have been some communications between the mother of the prisoner and the landlord, with a view to the mother taking the farm.

#### THE PERSIAN TOBACCO CONCESSION.

**MR. LABOUCHERE** (Northampton): I beg to ask the Under Secretary of State for Foreign Affairs whether the Persian Tobacco Corporation gives up all its property to the Persian Government in consideration of receiving £500,000 for the £350,000 alleged by the Corporation to have been spent by it; whether he can state in what that

property consists; and whether any estimate has been submitted to Her Majesty's Government as to its actual value?

**\*MR. J. W. LOWTHER:** The Corporation is to hand over to the Persian Government its stock of tobacco, house property, furniture and machinery. These assets must be proved to the satisfaction of the Persian Government to have cost £139,000. The amount stated by the Company to have been expended in Persia on account of installation, travelling, salaries, rents, printing, telegrams and postage is £55,000. This is in addition to the Company's expenditure in London.

**MR. LABOUCHERE:** Then how does the right hon. Gentleman make up the difference between the amount that he stated and £350,000?

**\*MR. J. W. LOWTHER:** I think the hon. Member is under a misapprehension. It is not part and never has been any part of the duty of the Government to make up anything in the matter. The claim was made by the Corporation who asked for arbitration. The Persian Government were not prepared to enter into arbitration in this matter and preferred to make an arrangement with the Corporation. That arrangement was made, and that is the arrangement of which the hon. Gentleman complains, and as to which the Government acted as mediators between the two parties concerned.

**MR. LABOUCHERE:** Do I understand that when they acted as mediators between the two parties, the Government did not express the opinion that the amount of £500,000 was a fair and legitimate demand?

**\*MR. J. W. LOWTHER:** Yes, Sir, Her Majesty's Government expressed the opinion that they thought it was a fair demand to make. The Corporation had first of all demanded £650,000. The Persian Government did not feel themselves at liberty to meet that demand, and offered a lower sum. Eventually a compromise was arrived at for £500,000, a compromise which Her Majesty's Representative in all the circumstances of the case considered a fair amount.

MR. LABOUCHERE: I would ask the hon. Gentleman upon what data Her Majesty's Representative proceeded in stating that this was a fair and legitimate sum?

\*MR. J. W. LOWTHER: If the hon. Member will have a little patience and wait a few days until the Papers are produced, he will then see exactly the course which Her Majesty's Representative at Teheran took in this matter.

MR. LABOUCHERE: Does the hon. Gentleman guarantee that I shall have an opportunity before the end of the present Parliament of dealing with this question, if I do not raise it on the Vote on Account?

\*MR. J. W. LOWTHER: The duration of the present Parliament does not rest with me.

#### THE DAUGHTERS OF NAVAL WARRANT OFFICERS.

ADMIRAL FIELD (Sussex, Eastbourne): I beg to ask the First Lord of the Admiralty whether the Lords Commissioners of the Admiralty will consider the case of the daughters of Naval Warrant Officers, with a view to their being considered eligible for compassionate allowances when left in distressing circumstances consequent upon the death of their parents, in like manner as provided for daughters of Commissioned Officers of same relative rank in the Navy and Army, seeing that the principle has been already conceded in the case of daughters of Warrant Officers who are killed in action, or whose death has been caused or hastened by exposure on duty, &c.; and whether existing regulations can be modified to meet their claims to be placed on a footing of equality in this respect with the daughters of other officers whose widows are entitled to pensions?

LORD G. HAMILTON: The alteration in the Army Regulations on this subject has been recently brought to the notice of the Admiralty, and the question of any Amendment in the existing Naval Regulations will be taken into consideration. Similarity of practice in the two Services may be desirable, but the conditions generally of Naval Service, so far as pensions and allowances are concerned, are more liberal than in the Military Service.

#### PETROLEUM IN THE SUEZ CANAL.

MR. FENWICK (Northumberland, Wansbeck): I beg to ask the Under Secretary of State for Foreign Affairs whether he can inform the House what regulations were considered by the Inter-Departmental Committee at the Foreign Office in December last in relation to the proposed provisional regulations for the transport of bulk petroleum in the Suez Canal; what additions were framed by the said Committee with the object of safeguarding navigation, but only part of which were accepted by the Suez Canal Company; and to define the substance of such recommendations as were made by the Inter-Departmental Committee and which were declined by the Suez Canal Company?

\*MR. J. W. LOWTHER: It would be impossible to reply to the hon. Member's questions within the limits usually assigned to an answer. The several matters as to which the hon. Member inquires will appear clearly from the Papers which are being prepared.

MR. FENWICK: Will these Papers be laid on the Table before Whitsuntide?

\*MR. J. W. LOWTHER: Yes, Sir; I hope before Whitsuntide.

MR. D. RANDELL (Glamorgan, Gower): I beg to ask the Under Secretary of State for Foreign Affairs, in regard to the proposed authorisation of the passage of bulk petroleum through the Suez Canal, which in the opinion of English experts threatens the security and safety of navigation in the Canal, whether, in view of Article 8 of the Convention between Great Britain, Germany, Austria-Hungary, Spain, France, Italy, the Netherlands, Russia, and Turkey, respecting the free navigation of the Suez Maritime Canal, signed at Constantinople 29th October, 1888, in which it is laid down that the agents in Egypt of the Signatory Powers of the present Treaty shall be charged to watch over its execution, in case of any event threatening the security or the free passage of the Canal, and that they shall inform the Khedival Government of the danger which they may have perceived, in order that that Government may

take proper steps to ensure the protection and the free use of the Canal, Her Majesty's Government will instruct its agent in Egypt to call the attention of the Egyptian Government to the threatened dangers as aforesaid?

\*MR. J. W. LOWTHER: The only ground for interference, under the Convention referred to, by any of the Signatory Powers thereto, is the occurrence of—

"Any event threatening the security or the free passage of the Canal." By Article 1 "The Suez Maritime Canal shall always be free, and open in time of war as in time of peace, to every vessel of commerce or of war without distinction of flag. Consequently the High Contracting Parties agree not in any way to interfere with the free use of the Canal in time of war as in time of peace. The Canal shall never be subjected to the exercise of the right of blockade."

In the opinion of Her Majesty's Government the passage of petroleum tank ships under the regulations issued by the Suez Canal Company does not threaten "the security or the free passage of the Canal," and consequently Her Majesty's Government have no ground for interference.

#### THE ALLEGED ASSAULT ON LOUGHRAN.

MR. SEXTON (Belfast, W.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland what has been ascertained, and what the Government have done or directed to be done, with reference to the attack on the boy Loughran, at the Queen's Island Works, Belfast, detailed in his statement reported in the *Belfast Irish News* of Monday last?

MR. JACKSON: I have made very careful inquiry into the matter of this question, and the simple facts are these. On Thursday night the boy Loughran, a boy Elliott, and some other boys were going home, and the boy Loughran, apparently, complained that Elliott had trodden on his foot. He then struck Elliott on the face; Elliott retorted and struck Loughran on the face; they had a fight, and Elliott got rather the worst of it. On the following morning during the breakfast hour Elliott went to Loughran and asked him what he meant by the action he had taken the night before, and proceeded at once to

knock Loughran down. A ring was formed while the boys fought, and the two boys fought it out. Loughran got the worst of it. These are the material facts of the case. I do not think any importance attached to it beyond an ordinary fight between two boys of about fourteen years of age.

MR. SEXTON: Is it the fact, as stated by Loughran, that some six weeks ago, long before this occurred, when he first went to the yard, he was threatened that if he dared to come back to the yard after the holidays he would lose his life?

MR. JACKSON: I am told that there is no truth whatever in that statement.

MR. SEXTON: Is it the fact—"Order!" and "Oh!"—I can quite understand these cries after the speech of the Marquess of Salisbury—that Loughran on Friday and Saturday last gave to three members of the Belfast police force the names of his assailant Elliott and of several men, who according to Loughran also assaulted him; and have the police taken any steps to obtain information on oath?

MR. JACKSON: I do not know anything about the police taking steps to obtain information on oath; I should say not. But I have taken every pains to inform myself, and have obtained reports from three distinct quarters which state the facts, and I have given the simple upshot of these reports to the House. The statement made by Loughran as to his having been assaulted by others than the boy Elliott, I believe, judging from the reports I have received, to be absolutely untrue. It is stated by several persons who were witnesses of what took place that nobody attacked Loughran except the boy Elliott, and both boys are between fourteen and fifteen years of age. I believe some Members of the House can remember the time when probably about that age they had a similar experience themselves, and when the result, as in this case, did not always come out on the one side. But I can assure the House that, as far as I can form a judgment from the reports, which I shall be happy to show to the hon. Member if he desires it, there is absolutely no importance to be attached

*Mr. D. Randell*



to this beyond an ordinary boys' fight, which took place on two occasions. In one case the result was on the one side; in the other case it was on the other.

MR. SEXTON: I would ask the right hon. Gentleman—"Order!"—well, you will have it for the evening unless I am allowed to proceed—whether, if it is the fact, having regard to the circumstances of the second section of the Crimes Act in Ireland, that this poor boy has not only been beaten, but deprived of his means of living by being driven away from the yard by threats of violence, and by intimidation, the right hon. Gentleman will leave this question to be determined by Magistrates, or will the right hon. Gentleman constitute himself a Court of Law; and whether, if information on oath is laid, the ordinary course of the law will be followed?

MR. JACKSON: If any information on oath is laid, of course it will, I presume, be the duty of somebody to take action upon it; but I doubt very much whether such a result will arise out of the circumstances. So far from there being any truth in the statement that the boy has been driven out of the works, it appears from the reports supplied to me that the foreman told the boy to go back to his work, and that he would take care—

MR. SEXTON: He was afraid to go back.

MR. JACKSON: Of course, he cannot compel the boy to go back to his work; but I do not think I can add anything to what I have said.

MR. SEXTON: Do I go too far—"Order!"—one Gentleman on the other side is trying to distinguish him self in a very extraordinary manner. Do I go too far in asking for an assurance that if an information is laid on oath—the boy having told the police that he has been deprived of his living by intimidation—the ordinary course of the law will be followed, and that the decision in the matter will be left to the Courts, and not to the right hon. Gentleman?

MR. JACKSON: Unquestionably the ordinary course of the law will be followed.

#### POST CARDS AND HALFPENNY STAMPS.

MR. BIGWOOD (Middlesex, Brentford): I beg to ask the Postmaster General whether the regulation which forbids a card with a halfpenny stamp upon it being transmitted without excess payment by the recipient could be amended without loss to the Revenue?

\*THE POSTMASTER GENERAL (Sir J. FERGUSON, Manchester, N.E.): It will be very difficult to distinguish between the cost of distribution and the profit realised on the sale, but the amount is not large.

#### TELEGRAPHIC CHARGES.

MR. BIGWOOD: I beg to ask the Postmaster General whether the regulation which at present exists with reference to the single or double charge in telegrams upon all double words, such as "Herne Bay" and "Herne Hill," could be removed without inflicting injury or loss upon the department?

DR. TANNER: May I ask the right hon. Gentleman to include "Earl's Court" in his answer?

\*SIR J. FERGUSON: All such double names could not be charged as one word without a considerable loss of revenue.

#### SALARIES OF OFFICERS OF EXCISE.

SIR T. ESMONDE (Dublin Co., S.): I beg to ask the Chancellor of the Exchequer why second class officers of Excise, though they perform duties identical with those of first class officers, are restricted to a salary with a maximum of £150, whilst first class officers go on to £250; and on what grounds the Board of Inland Revenue do not acknowledge the right of an assistant or second class officer of Excise, or anyone entering the service at present, to claim salary beyond the £150 limit?

MR. GOSCHEN: There are broad general distinctions between the duties and responsibilities of second class officers of Excise and those of first class officers, and there is naturally a corresponding distinction between the salaries attaching to these classes. The conditions of the salaries are known to all persons entering the Service. There

is no right in that or any other Service to any salary on a higher scale than that laid down in the Regulations.

SIR T. ESMONDE: I beg to ask the Chancellor of the Exchequer what are the objections to a progressive salary for officers of Excise from the minimum of £115 to the maximum of £250; and whether an arrangement could be made whereby the salary of a second class officer would go on increasing until he was offered promotion to the rank of first class, the increment to cease in case of non-acceptance?

MR. GOSCHEN: I have frequently stated that in the interests of good discipline and for the due organisation of the Service, it is absolutely necessary to maintain the principle of classification in the Excise Service. It would not be possible to adopt the arrangement which the hon. Member suggests in the latter part of his question.

#### A REPORTED MASSACRE IN UGANDA.

SIR T. ESMONDE: I beg to ask the Under Secretary of State for the Colonies if he has any information as to the reported massacre of Bagandas in Uganda; and, if so, who were the instigators of the massacre; will he inquire whether their assailants were armed with quick-firing rifles; whether, as is stated, the perpetrators of the massacre were assisted by soldiers from Rampala, and equipped with a Maxim gun; and, whether steps will be taken to prevent the recurrence of such a massacre?

\*MR. J. W. LOWTHER: Perhaps the hon. Baronet will allow me to reply to this question. As I have already informed the House, no reliable information has been received from Captain Lugard since the date of the alleged massacre. From the known character and antecedents of that officer, it is impossible to believe that he was directly or indirectly a party to it. The next series of despatches from Uganda will probably contain a full account of the events which are supposed to have occurred about the end of January last.

*Mr. Goschen*

#### THE TRANSFER OF RICHMOND PRISON.

MR. TIMOTHY HEALY (Longford, N.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he will grant the Return relating to the transfer of Richmond Prison to the War Office, and the sums expended on the prison by the Dublin Corporation?

MR. JACKSON: I understand there is no objection to a Return asking the Dublin Corporation to state the sums expended by the Corporation on the site and buildings of the Richmond Prison, the date thereof, and the acreage covered by the prison and the grounds. This appears to have been what was promised by the First Lord of the Treasury and the Financial Secretary to the War Office. I do not think there is any connection between the expenditure on Mountjoy and Richmond Prisons, and the amount expended by the Dublin Corporation. But there is no desire to withhold any information which the hon. Member or the House may wish, but perhaps it would be more convenient to give that information if he would put a question as to the expenditure for the last three years or for any period of time he likes as to the expenditure on Mountjoy Prison. There is no objection to state what has been the expenditure, but we wish to keep separate the two questions, because the Irish Government could not admit that the expenditure on Mountjoy is in any way connected with the removal or change of prisons.

MR. T. M. HEALY: I will raise the question of the additional expenditure on Mountjoy on the Vote on Account, if that is a convenient way. May I ask the right hon. Gentleman to answer that portion of the question which asks how much advantage the War Office or the Government estimate they have gained by getting a free barracks for their troops? And I may remind him that, while the Dublin Corporation maintain that the Government got a £100,000 property without any compensation, the Government hesitated, nay, absolutely refused, to give more than £10,000—I believe not

tive Assembly of Melbourne passed a Resolution yesterday, without a dissentient voice, condemning the action of the Queensland Parliament in proposing to renew the importation of Kanaka labourers into the colony, and urging the Government to resort to all the means in their power to render the protest of the Legislative Assembly of Melbourne effective; and whether Her Majesty's Government will re-consider their intention of not disallowing the Act of the Queensland Legislature?

\*BARON H. DE WORMS: The attention of Her Majesty's Government has not been officially drawn to the notice referred to, and to the resolution which it would appear, from a telegram in this morning's *Times*, has been carried; but the hon. Member will see that the question raised by that resolution is one which, however important, must be settled by these great colonies among themselves without the intervention of Her Majesty's Government. It may also be observed that this resolution is not framed against native employment on humanitarian grounds, but is against all foreign labour, coolie or native.

MR. S. SMITH: May I ask the right hon. Gentleman, in connection with that answer, whether the Australian Colonies possess any means of preventing Queensland from renewing this labour traffic except through the intervention of the Home Government?

\*BARON H. DE WORMS: Certainly not. I am sure the hon. Member will see that a resolution passed by the Victorian Parliament could not—although, of course, it would be treated with all respect—influence Her Majesty's Government in the direction of not assenting to a Bill passed in Queensland.

MR. CUNINGHAME GRAHAM: As this case involves, in the opinion of many, gross barbarities and a large quantity of bloodshed among these islanders, I should like to ask the right hon. Gentleman whether this House or the Government has any power to veto—or has got any means of signifying their displeasure, should that be

the pleasure of the House—this Act being put in force?

MR. JOHN ELLIS (Nottingham, Rushcliffe): I beg to ask the Under Secretary of State for the Colonies whether the Colonial Office has in its possession the figures of the number of Polynesian Islanders landed in Queensland during each of the years 1886, 1887, 1888, 1889, and 1890; the percentage of deaths among the islanders working on the plantations during each of those years; and the numbers returned to the Islands during each of those years; and, in that case, will he state them to the House?

\*BARON H. DE WORMS: The numbers of those landed and returned are as follows:—Landed: 1886, 1,505; 1887, 1,988; 1888, 2,291; 1889, 2,039; 1890, 2,459. Returned: 1888, 1,292; 1889, 1,814; 1890, 1,373. We have no Return from the colony showing the percentage of mortality asked for by the hon. Member. The total number of deaths reported to the Polynesian Department for the years 1886-90 inclusive will be found at Page 54 of the Blue Book just presented. If more precise information is required, the necessary Return will be obtained from the colony.

MR. JOHN ELLIS: I understand the Colonial Office have no information with respect to the mortality other than is in the Return circulated this morning?

\*BARON H. DE WORMS: That is so.

MR. JOHN ELLIS: The right hon. Gentleman is quite aware that it is admitted that the figures are not wholly sufficient?

\*BARON H. DE WORMS: Those are the only Returns we have. If he wishes to have a further Return, I will speak to my noble Friend the Secretary of State.

#### PARCEL POST BASKETS.

MR. CAUSTON (Southwark, W.): I beg to ask the Postmaster General whether the baskets used for Parcels Post and general Post Office work are now made and repaired on Government premises; and, if so, whether the work is done direct by Government employees or by private contractors on the Government premises; what a the.

he is aware that the penalty of five shillings inflicted on parents for the non-attendance of their children at school has lost its force in consequence of the abolition of school fees, and that it does not repay the costs incurred by the authorities of a school in prosecuting an offender; and if he will endeavour to provide a remedy?

MR. MATTHEWS: The abolition of school fees does not appear to me to have any bearing on the sufficiency of the five shillings, which is the limit of penalty, and costs, for breach of an attendance order. That sum was frequently insufficient to defray the costs actually incurred by a prosecuting School Board before the abolition of fees, and will be so still, but I do not think that these extra costs ought to be defrayed either by the parents of the defaulting child or by the ratepayers of the county or borough.

#### TREES ON THE TERRACE AT WESTMINSTER.

DR. TANNER: I beg to ask the First Commissioner of Works why orange trees and some palms cannot be obtained from Kew Gardens and placed on the Terrace, as well as other shrubs, flowers, and plants suitable to the season? I also wish to ask whether he will include eucalyptus trees in the list?

MR. PLUNKET: I am afraid we have not got any orange trees or palm trees at Kew Gardens that could be spared for the purpose described by the hon. Member, even if it were desirable. I think there are very few seasons of the year in which the orange trees would not be subject to the south-eastern winds, and I do not think they would be an appropriate addition to the Terrace.

DR. TANNER: Does the right hon. Gentleman not know that eucalyptus trees or orange trees may certainly be placed in the open in these countries from the end of the month of April to the end of the month of September: and whether, in view of the fact that it can be done, he will inquire from the authorities at Kew if some are not available in order to embellish a singularly deserted place?

*Mr. Ainslie*

MR. PLUNKET: I am afraid I cannot agree with the hon. Member about that.

#### PAUPER ALIENS.

COLONEL SANDYS (Lancashire, S.W., Bootle): I beg to ask the Secretary of State for the Home Department whether he is aware that, when the United States authorities decline to receive emigrants from various parts of Europe on the ground that they are pauper lunatics, the Atlantic Steamship Companies bring these persons back and turn them loose on the Liverpool docks; whether he is aware that the maintenance of these alien pauper lunatics costs the ratepayers of the Borough of Bootle £350 per annum; whether he is aware that other harbour towns are put to similar expense; and whether he will include provisions to remedy this grievance in the promised measure to prevent the immigration of pauper aliens?

MR. MATTHEWS: I have no information, nor, I understand, have the Local Government Board as to the facts alleged in the question of my hon. and gallant Friend; but I have no reason to doubt their accuracy. I may add that the Government measure will apply to the grievance he refers to.

#### DISTURBANCE IN LONDONDERRY BARRACKS.

MR. PATRICK O'BRIEN: I beg to ask the Financial Secretary to the War Office whether his attention has been called to the fact that a fight took place in Londonderry Barracks on the 23rd inst., between the Derry Artillery Militia and the Lancashire Regiment, and that twenty of the former were injured, six of them seriously; and whether he can give the total number of men injured on both sides, and the cause of the quarrel?

\*MR. BRODRICK: The General Officer commanding the Belfast District has reported that the accounts of the disturbance have been grossly exaggerated. The disturbance lasted for about ten minutes; the injuries were slight, and no man is in hospital. The regiment marched out yesterday in good order. A Court of Inquiry has been held, but the report of the proceedings is not yet to hand.



MR. P. O'BRIEN: Is the hon. Gentleman aware that seventy people have been arrested; and does that bear out his answer that the injuries are of a slight character?

\*MR. BRODRICK: It is not according to the information we have received.

MR. P. O'BRIEN: Will the hon. Gentleman say what is the origin of his Report?

\*MR. BRODRICK: I am afraid I cannot.

MR. P. O'BRIEN: Then I must ask the Question again.

MR. SPEAKER: Order, order!

#### MEETINGS ON THE HYDE MARKET GROUND.

MR. CUNINGHAME GRAHAM: I beg to ask the President of the Local Government Board if his attention has been directed to a special Regulation of the Market Committee of Hyde, Manchester, passed to prevent the Fabian Society from holding meetings on the market ground; and if this is legal, as all other bodies are allowed to use this ground for meetings?

MR. J. W. SIDEBOTTOM (Cheshire, Hyde): Before this question is answered, may I ask whether it is not a fact that no objection whatever can be offered to meetings of the Fabian Society on the Hyde Market Ground if the Society conform to the rules and regulations of the Town Council, and whether it is not the fact that all other bodies using the ground conform to the rules and regulations?

THE UNDER SECRETARY OF STATE FOR THE HOME DEPARTMENT (Mr. STUART WORTLEY, Sheffield, Hallam) (who replied): I am asked to say that the Local Government Board have no information on this subject, but that they will cause immediate inquiries to be made with regard to it. In answer to my hon. Friend, I may say I have no doubt that the inquiry will embrace the matter referred to in his supplementary question.

#### NIGHT MAILS TO ABERDEEN.

MR. BRYCE (Aberdeen, S.): I beg to ask the Postmaster General whether he will consider the practicability of accelerating the night mails from Lon-

don to Aberdeen, so that the mail train now leaving Euston at half-past eight p.m. should arrive in Aberdeen earlier than it now does, considering that at present this train occupies twelve and a half hours on the way, whereas the passenger train leaving Euston at eight p.m. occupies only twelve hours, and having regard to the fact that an acceleration of the night mails might enable the delivery to callers on Sunday forenoon to take place at the same hour as the week day delivery?

\*SIR J. FERGUSSON: The night mail train from Euston Station to Aberdeen was accelerated by about an hour in the summer of 1890, and it does not seem practicable to obtain any further acceleration. It is true that the eight p.m. passenger train performs the journey in half-an-hour less time than the mail train, but, owing to the large quantities of mails to be transferred on the way, more time is required for the station duties in connection with the mail train. There are, moreover, a number of branch trains which bring mails for transfer to the mail train, and in the event of one of them being late it is arranged for the main line train to wait for a few minutes in order to prevent delay to the mails. It is only with great difficulty and the utmost exertions that the present hour can be maintained.

#### THE STATUS OF COUNTY SURVEYORS.

COLONEL NOLAN: I beg to ask the Attorney General for Ireland if he would, before the Local Government Bill enters on the Committee stage, lay upon the Table of the House a Return, or short statement, of the legal status of county surveyors, which statement would explain how far the county surveyor is bound to follow the rulings of the Grand Jury or of Presentment Sessions, and in what points, as to passing of repairs, &c., he can act on his own initiative or judgment?

THE ATTORNEY GENERAL FOR IRELAND (Mr. MADDEN, Dublin University): I shall be glad to afford the hon. Member all the information in my power in reference to this matter. The duties of these officials are pretty clearly defined by the Grand Jury Act, but if the hon. Member wishes for a statement I shall be glad to furnish it.

**THE TAX ON RICE CROPS IN CEYLON.**

MR. HALDANE (Haddington): I beg to ask the Under Secretary of State for the Colonies whether the Excise Paddy Tax of one-tenth of the rice crops in Ceylon has been abolished, while the corresponding Customs Duty of ten per cent. on rice imported from India is retained; and whether, as a consequence, about one-half of the native population will be eating rice free of taxation, while the other half, including some of the poorest Ceyloneese living in the towns, will be paying ten per cent. *ad valorem* on their staple food to the Government?

\*BARON H. DE WORMS: The reasons for the recent measures regarding the taxation of grain in Ceylon will be found very fully stated in a despatch of the Secretary of State of 12th February, 1892. This appears in a Paper laid before the Legislative Council of Ceylon, copies of which will be placed in the Libraries of both Houses, and a copy of which will also, if he wishes it, be forwarded to the hon. Member.

**REFRESHMENTS IN KEW GARDENS.**

DR. TANNER: I beg to ask the First Commissioner of Works whether his attention has been directed to the entirely insufficient provision of catering and attendance in the new refreshment rooms in Kew Gardens on Sundays and holidays; and why the major number of waiters there employed are Germans, unable to understand the English language?

MR. PLUNKET: I have not heard of any complaints for a long time as to the arrangements with regard to the supply of refreshments at Kew. The truth is that owing to the uncertainty of the weather it is difficult to foresee the number of persons who may go to Kew Gardens on Sundays. So far as I can see, the refreshment department is conducted as well as can be expected.

DR. TANNER: Is the right hon. Gentleman aware that only last Sunday people were really helping themselves in consequence of the bad attendance there? I should also like to ask how it comes to pass that German waiters have the preference over English waiters?

[No reply was given.]

*Mr. Madden*

DR. TANNER: I shall call attention to the matter on the Vote on Account.

**PLEURO-PNEUMONIA.**

MR. RICHARD CHAMBERLAIN (Islington, W.): I beg to ask the President of the Board of Agriculture whether he is aware of the serious loss that is being occasioned to all carrying on business in the Metropolitan Cattle Market, to the graziers in the Eastern and Midland Counties, and in Scotland, and to the Canadian cattle trade, by the prohibition, under the 'Pleuro-Pneumonia Act, of the removal of all beasts that have been exhibited in the above market beyond the Metropolitan Police district except for slaughter within four days, thus rendering practically valueless the one great staple market; and whether, seeing that the London cowsheds are the only source of danger from which pleuro-pneumonia can be spread, the prohibition might be directed solely to the cowsheds, and thus prevent the continued sacrifice of large and important interests to one comparatively small?

THE PRESIDENT OF THE BOARD OF AGRICULTURE (MR. CHAPLIN, Lincolnshire, Sleaford): It is erroneous to suppose that the London cowsheds are the only source of danger from which pleuro-pneumonia can be spread, and though of course I am aware that the restrictions which are necessary if pleuro-pneumonia is to be eradicated cannot be imposed without inflicting loss, which no one regrets more than myself, it would be premature in my opinion, and prejudicial to the ultimate success of our efforts, to adopt at present the course suggested in the question.

**IRELAND AND THE CHICAGO EXHIBITION.**

SIR THOMAS ESMONDE: I beg to ask the Attorney General if any sub-committee has been appointed to promote the representation of Irish industry at the Chicago Exhibition; and, if so, who are the members of it; what portion of the \$60,000 granted to the Royal Commission for the Chicago Exhibition is to be devoted or has been devoted to Ireland; whether any statement has been made of the receipts and expendi-

ture of the Royal Commission; and, if not, when it will be made public; and, what the heads are of the expenditure of the Royal Commission, what revenue do they derive from advertisements printed on the official prospectus, and if it is a fact that no postage is charged on their letters?

MR. JOHN O'CONNOR (Tipperary, S.): Before the Attorney General answers this question I wish to ask him whether the grant of money has been increased from £25,000 to £60,000; whether the charge for space has been abolished; whether the Commission have appointed a Committee in Dublin with a salaried secretary; whether the Commission have been enlarged by the addition of representatives of Irish exhibitors; and whether the right hon. Gentleman or the Commission can suggest any further means whereby Irish interests in the Exhibition may be assisted?

THE ATTORNEY GENERAL (Sir R. WEBSTER, Isle of Wight): In reply to the hon. Baronet I have to say that a sub-committee has been appointed to promote representation of the Irish industries at the Chicago Exhibition, but I have no list of the names. The Committee was, I believe, appointed in Dublin by the action of the Chambers of Commerce, the Corporation of Dublin, and the Royal Dublin Society. No portion of the grant to the Royal Commission will be specially allocated to Ireland, but a very considerable amount will be expended in connection with Irish industries and exhibits from Ireland in accordance with their requirements. No statement has yet been made public of the receipts and expenditure of the Royal Commission, but the Secretary, Sir Henry Trueman Wood, will be only too glad to give the hon. Baronet, or any other gentleman interested in the matter, full information. It is a fact that no postage is charged on outgoing inland letters. On foreign letters the postage has to be paid. In reply to the questions of the hon. Member for South Tipperary, I am able to state that the grant has been increased from £25,000 to £60,000. Steps are being taken for the purpose of providing an increase of Irish representation on the Commission. The charges for space have been abolished. The

opinion of the Irish exhibitors was taken on the question of providing a separate Irish exhibit department, and they were almost unanimously opposed to such an arrangement—only two, I believe, being in favour of it.

#### CHILDREN IN RAILWAY TRAINS.

MR. WOOTTON ISAACSON (Tower Hamlets, Stepney): I beg to ask the First Lord of the Treasury whether Her Majesty's Government will take steps this year to prevent the recurrence of accidents, many of them fatal, to children's excursions, such as occurred last year on the London, Tilbury and Southend and the Great Eastern Railways?

SIR M. HICKS BEACH: I have been asked to reply to this question. As I explained to the hon. Member in answer to a question put by him last year, I think those who are in charge of children's excursions by rail ought to arrange that some person old enough to keep the children out of mischief should be put in each compartment. I am now informed that the Great Eastern Railway Company have issued a circular suggesting a due distribution of the adults of each party. I think that the accidents to which the hon. Member particularly refers arose from children opening the carriage doors by the handles inside, and I understand that the Great Eastern Company will, as far as possible, avoid the use of carriages fitted with such handles in children's excursions. In these circumstances, I do not see what further steps can be taken to secure the safety of the children.

MR. WOOTTON ISAACSON: Will the right hon. Gentleman communicate with the London, Tilbury, and Southend Railway Company to see if they have done the same as the Great Eastern Railway Company, as the excursion season is now commencing, and children frequently go out in thousands from the East End in the excursion trains of that Company?

SIR M. HICKS BEACH: I will see what can be done in the matter.

#### THE SCOTTISH CHURCHES.

MR. BUCHANAN (Edinburgh, W.): I beg to ask the First Lord of the Treasury whether the Government

intend this Session to introduce legislation for the re-union of the Presbyterian Churches of Scotland upon a national basis, and the re-distribution of ecclesiastical endowments in that country, in order to carry out the Resolution of the hon. Member for Inverness, adopted by the Government on Tuesday night?

Mr. A. J. BALFOUR: I observe that the Resolution passed on Tuesday states that it is highly desirable that the Presbyterian Churches of Scotland should be re-united upon a national basis. That is the opinion expressed by the House and shared by the Government, who would be glad to introduce legislation to smooth the way towards the ultimate consummation of the wish expressed in the Resolution.

Mr. BUCHANAN: Does the right hon. Gentleman intend to bring in a Bill?

Mr. A. J. BALFOUR: I am not aware that any legislation is required at the present moment, or that the question is ripe for legislation.

Mr. BUCHANAN: Are we to understand that the course taken by the Government on Tuesday was not meant to convey any intention of giving practical effect to the Resolution?

Mr. A. J. BALFOUR: The Resolution expressed the opinion that a certain object was desirable, but in order that that object might be attained, it would be necessary for the Presbyterian Churches themselves to take steps towards re-union. Legislation must be preceded by some spontaneous act on the part of the Churches.

Mr. BUCHANAN: I wish to know whether the right hon. Gentleman's attention has been called to a report in the *Times* of to-day of the proceedings of the General Assembly of the Established Church in Scotland, and whether he has observed that when a motion similar to that of the hon. and learned Member for Inverness was brought forward a large and important minority, led by leading Churchmen like Dr. Story and Dr. Donald MacLeod, divided against the resolution, and would have nothing to do with it?

Mr. A. J. BALFOUR: I have not seen the report referred to, but I am glad to hear from the hon. Gentleman

*Mr. Buchanan*

that the action to which he has drawn attention was only the action of a minority.

Mr. ANGUS SUTHERLAND (Sutherland): Will the right hon. Member undertake to re-introduce the Bill proposed in a former Session by the hon. and learned Member for Inverness, or to introduce some Bill like it?

Mr. A. J. BALFOUR: I must ask that notice be given of the question.

Dr. CLARK (Caithness): Cannot the right hon. Gentleman tell us whether there is likely to be legislation on the subject?

Mr. A. J. BALFOUR: I have already explained that some action on the part of the Churches concerned is required before legislation can be initiated. At all events, I am not in a position at present to propose legislation dealing with the subject.

Mr. BUCHANAN: Then the right hon. Gentleman, on behalf of the Government, assented to the Resolution without the least intention of carrying it into effect?

Mr. A. J. BALFOUR: On the contrary, I have expressed my desire that it should be carried into effect.

Mr. BUCHANAN: The right hon. Gentleman had no such intention—

Mr. SPEAKER: Order, order!

#### SUBORDINATE CUSTOMS' OFFICERS.

Mr. CUNINGHAME GRAHAM: I beg to ask the President of the Board of Trade whether his attention has been called to a case which appeared in the *Daily News* of the 12th instant, where a Customs' officer was summoned at the Thames Police Court by a seaman for detaining twelve ounces of tobacco and a bottle of Florida water, and to the comments of the Magistrate on the proceedings of the Customs' Authorities; whether, in the inquiry held by the Chancellor of the Exchequer in 1891, into the complaints of the officers of the Outdoor Department of the Customs, that while superior officers receiving large salaries were granted substantial benefits, the subordinates—namely, boatmen, receiving very low pay, were granted nothing, but sustained pecuniary loss by the abolition of classification, and that, in consequence, a great



deal of discontent prevails amongst the officers of this class; and whether, in view of the temptation to improper exercise of their duties which is caused by the low scale of salaries, the Treasury would grant an improvement in the position of these officers?

SIR M. HICKS BEACH: I have nothing to do with the question put by the hon. Member.

MR. CUNINGHAME GRAHAM: I have had the question on the Paper for more than a week, and I should like to have an answer to it.

[No further reply.]

#### BUSINESS OF THE HOUSE.

MR. H. H. FOWLER (Wolverhampton, E.): I beg to ask the Secretary to the Treasury how many Votes, irrespective of the Vote on Account, have already been taken on the Army and Navy and the Civil Service and Revenue Estimates, and how many remain yet to be taken?

SIR J. GORST: There have been taken two Army Votes, two Navy Votes, and one Civil Service Vote—total, five. There remain to be taken sixteen Army Votes, fifteen Navy Votes, and one hundred and eleven Civil Votes—total, one hundred and forty-two.

#### MOTIONS.

##### TELEGRAPHS BILL.

##### LEAVE. FIRST READING.

Motion made, and Question proposed,  
“That leave be given to bring in a Bill to make further provision respecting Telegraphs.”—(Sir James Fergusson.)

MR. JOHN ELLIS (Nottingham, Rushcliffe): Can the right hon. Gentleman give us some information with regard to the meaning of this Bill. If it is intended merely to remedy some defect in another Bill, I have nothing further to say; but if the whole question of the telegraphic system is to be opened up by it, we shall require some fair opportunity of discussing it. We are now approaching the Whitsuntide holidays, and I hope the right hon. Gentleman will not fix the Second Reading of the Bill before the Recess. I would

call his attention to the fact that a Committee in 1888 inquired most carefully into the whole question of the telegraphic system of the country, and that the late Mr. Raikes then admitted publicly and privately how much advantage he derived from the labours of that Committee. I would make the suggestion that a Committee should go into this question. I hope the right hon. Gentleman will give us some information with regard to it, and also allow us a reasonable time before taking the Second Reading of the Bill.

\*THE POSTMASTER GENERAL (Sir JAMES FERGUSSON, Manchester, N.E.): The short title of this Bill is a little misleading. The measure really refers to telephones, which, by a judicial decision, have been included in telegraphs. It is intended to carry out, as far as any legislative provision is required for the purpose, the scheme which I explained to the House a month or two ago. But, as only a small part of the scheme requires such legislative provision, a Treasury Minute will be laid upon the Table setting out the whole scheme, and I hope that this will be done before the Second Reading of the Bill is moved. It is the intention of the Government, after the Second Reading, to refer the Bill to a Select Committee. I hope it will be possible to read it a second time before the Whitsuntide holidays.

Motion agreed to.

Bill ordered to be brought in by Sir James Fergusson and Sir John Gorst.

Bill presented, and read first time.  
[Bill 377.]

SIR JOHN LUBBOCK (London University): I hope the right hon. Gentleman will not press the Second Reading of this Bill too early, as it is one which requires some consideration. I hope it will not be taken till Friday.

\*SIR JAMES FERGUSSON: It will be set down for Monday, and can, if necessary, be postponed.

##### POST OFFICE ACT (1891) EXTENSION BILL.

##### LEAVE. FIRST READING.

Motion made, and Question proposed,

“That leave be given to bring in a Bill to amend the Post Office Act, 1891, in relation

to its application to Scotland, and to apply that Act to the Isle of Man and to the Channel Islands."—(*Sir James Fergusson.*)

MR. TIMOTHY HEALY (Longford, N.): I think it is most unfair to the House to bring in this Bill, when the original Bill has not been discharged.

\*MR. SPEAKER: The original Bill will be discharged when we come to this Bill, which will be substituted for it. This is being done in order to prevent irregularity.

MR. T. M. HEALY: I submit that the proper course would be to first move the discharge of No. 8.

\*MR. SPEAKER: Order, order!

Motion agreed to.

Bill ordered to be brought in by Sir James Fergusson and Sir John Gorst.

Bill presented, and read first time. [Bill 378.]

#### ACCESS TO MOUNTAINS (SCOTLAND) (No. 2) BILL.

##### LEAVE. FIRST READING.

Motion made, and Question proposed,

"That leave be given to bring in a Bill to regulate the Access of the Public to Mountains in Scotland."—(*The Lord Advocate.*)

DR. FARQUHARSON (Aberdeenshire, W.): May I ask the Lord Advocate whether this Bill will be printed and circulated before the Recess? Many of our constituents are deeply interested in this matter, and we wish to have an opportunity of consulting them in regard to it. Perhaps the Lord Advocate will follow the example of the Postmaster General and give us now a slight sketch of the scope and contents of the Bill. If he is unable to do that, will he give us a full opportunity of discussing this Bill on the Second Reading.

THE LORD ADVOCATE (Sir C. J. PEARSON, Edinburgh and St. Andrews Universities): I have no doubt the House will have full opportunity of discussing the Bill. I cannot undertake to have it printed and circulated before Whitsuntide, but I will do my best.

Motion agreed to.

Bill ordered to be brought in by The Lord Advocate and Mr. Solicitor General for Scotland.

Bill presented, and read first time. [Bill 379.]

#### SUPERANNUATION.

##### SELECT COMMITTEE.

Motion made, and Question proposed,

"That Mr. Anstruther be a Member of the Select Committee on Superannuation."—(*Mr. Akers-Douglas.*)

MR. STOREY (Sunderland): I wish to call the attention of the House to the peculiar position in which we are placed with regard to this Bill. Its principle has never been discussed.

MR. SPEAKER: Order, order! The hon. Gentleman can only object to the names of the Committee, and cannot refer to the merits of the Bill.

MR. STOREY: My argument is that, as the principle of the Bill has not been discussed at any of its stages through the House, it is extremely important that the Committee which has to consider it should be more liberally constituted than it is at the present moment. Therefore, I object to the first name. There has been no explanation given of the Bill—

MR. SPEAKER: Order, order! That is no reason why the name of the hon. Gentleman in question should be objected to. The Question is, "That Mr. Anstruther be a Member of the Committee."

MR. STOREY: I object to the name of Mr. Anstruther being added to the Committee, because the Committee as proposed will give a preponderance to one set of opinions and make the decision of the Committee practically settled before it meets. As proposed, there will only be three independent Liberal Members upon the Committee and one Irish Member; while, on the other hand, there are seven Members who have practically made up their minds on the subject, four of them being more or less officials. It would be extremely inconvenient and unfair that this Committee should be thus constituted. Instead of Mr. Anstruther, I contend there should be placed on the Committee another Member of the minority in the House, so that there should be some fair sort of discussion. I shall vote against the name of Mr. Anstruther being added to the Committee.

THE FIRST LORD OF THE TREASURY (Mr. A. J. BALFOUR, Manchester, E.): I hope the hon. Member will not persist in his opposition. The Government, as a matter of fact, instead of being over-represented, are under-represented on the Committee, and have a majority of only one. I can assure the hon. Gentleman that our only desire with regard to this Bill is that it should be amply discussed in Committee.

(6.30.) Question put.

The House divided:—Ayes 248; Noes 76.—(Div. List, No. 146).

Motion made, and Question proposed, "That Mr. Bristowe be a Member of the said Committee."

DR. CLARK (Caithness): I venture to suggest to the First Lord of the Treasury the desirability of adding two other Members to this Committee. My hon. Friend the Member for Sunderland (Mr. Storey) takes great interest in this question, and he has shown that interest during all the stages of the Bill. I think he ought therefore to be included in the Committee. If the right hon. Gentleman will to-morrow or the next day add two more members the question might probably be settled.

MR. AKERS-DOUGLAS: The First Lord of the Treasury would have no objection to add two Members to the Committee. I should, however, like to point out that the Committee was constituted a small Committee at the request of hon. Members on that side of the House.

Question put, and agreed to.

Mr. Craig, Mr. John Ellis, Sir John Gorst, Mr. Henry H. Fowler, Mr. Hunter, Mr. King, Mr. Jackson, Mr. MacNeill, and Sir Matthew White Ridley nominated other Members of the Committee.

Ordered, That the Committee have power to send for persons, papers, and records.

Ordered, That Five be the quorum.

## ORDERS OF THE DAY.

### INDIAN COUNCILS ACT (1861) AMENDMENT BILL [*Lords.*](No. 182.)

#### THIRD READING.

Order for Third Reading read.

Motion made, and Question proposed, "That the Bill be now read the third time."

MR. MAC NEILL (Donegal, S.): It is not my intention to trespass at any length on the time of the House in reference to this matter, and I think the First Lord of the Treasury will bear witness that I and those hon. Members who are acting with me abstained from all discussion of this measure on the Report stage. I then asked the First Lord if he could fix a day for the consideration of the Bill, when, so far as I was concerned, the discussion would be slight. He did not do me the honour of acceding to that request, and now on a Government day, when important matters in reference to a Vote for the country are coming on, he puts this Bill first on the list. It is neither fair to the right hon. Gentleman's supporters, nor to the other Members of this House, to place a measure which must be subject to slight discussion before a Vote of that kind, and to which we are looking forward with great interest. Perhaps the right hon. Gentleman would facilitate matters if he postpones this Bill until to-morrow. I do not know whether the right hon. Gentleman will accede to my request, and so I will reserve my right to address the House.

MR. SEYMOUR KEAY (Elgin and Nairn): If the right hon. Gentleman agrees, I should be pleased not to interpose with my important Amendment, which is on the paper. Therefore, I appeal to the First Lord to consent to the adjournment.

MR. MAC NEILL: On a point of Order, I reserve my right to address the House.

MR. SPEAKER: Both hon. Gentlemen having spoken, they therefore cannot, according to the Rules, speak again. The Question is, "That the Bill be now read the third time."

Question put, and agreed to.

Bill read the third time, and passed.

**SUPPLY — CIVIL SERVICES AND  
REVENUE DEPARTMENTS, 1893.**

VOTE ON ACCOUNT.

Considered in Committee.

(In the Committee.)

Motion made, and Question proposed,

“That a further sum, not exceeding £4,632,350, be granted to Her Majesty, on account, for or towards defraying the Charges for the following Civil Services and Revenue Departments for the year ending on the 31st day of March, 1893—namely :—

**CIVIL SERVICES.**

**CLASS I.**

|   | £      |
|---|--------|
| Royal Parks and Pleasure Gardens                                | 15,000 |
| Houses of Parliament Buildings ...                              | 8,000  |
| Admiralty, Extension of Buildings...                            | 4,000  |
| Miscellaneous Legal Buildings, Great Britain ...                | 6,000  |
| Art and Science Buildings, Great Britain ...                    | 3,000  |
| Diplomatic and Consular Buildings                               | 4,000  |
| Revenue Department Buildings ...                                | 54,000 |
| Public Buildings, Great Britain ...                             | 20,000 |
| Surveys of the United Kingdom ...                               | 35,000 |
| Harbours, &c., under Board of Trade, and Lighthouses Abroad ... | 3,000  |
| Peterhead Harbour ...   | 2,000  |
| Caledonian Canal ...  | —      |
| Rates on Government Property ...                                | 10,000 |
| Public Works and Buildings, Ireland                             | 20,000 |
| Railways, Ireland ...   | 30,000 |

**CLASS II.**

**United Kingdom and England :—**

|  |        |
|--|--------|
| House of Lords, Offices ...                          | 8,000  |
| House of Commons, Offices ...                        | 11,000 |
| Treasury and Subordinate Departments ...             | 13,000 |
| Home Office and Subordinate Departments ...          | 15,000 |
| Foreign Office ...                                   | 17,000 |
| Colonial Office ...                                  | 7,000  |
| Privy Council Office and Subordinate Departments ... | 3,000  |
| Board of Trade and Subordinate Departments ...       | 30,000 |
| Bankruptcy Department of the Board of Trade ...      | —      |
| Board of Agriculture ...                             | 5,000  |
| Charity Commission ...                               | 7,000  |
| Civil Service Commission ...                         | 8,000  |
| Exchequer and Audit Department ...                   | 10,000 |
| Friendly Societies, Registry ...                     | 1,500  |
| Local Government Board ...                           | 28,000 |
| Lunacy Commission ...                                | 3,000  |
| Mercantile Marine Fund, Grant in Aid ...             | 15,000 |
| Mint (including Coinage) ...                         | —      |
| National Debt Office ...                             | 2,500  |
| Public Record Office ...                             | 3,000  |
| Public Works Loan Commission ...                     | 1,500  |
| Registrar General's Office ...                       | 8,000  |
| Stationery Office and Printing ...                   | 60,000 |

|   |       |
|---|-------|
| Woods, Forests, &c. Office of Works and Public Buildings, Office of ... | 2,000 |
| Secret Service ...  | 7,000 |
|   | 9,500 |

**Scotland :—**

|                               |       |
|-------------------------------|-------|
| Secretary for Scotland ...    | 2,000 |
| Fishery Board ...             | 3,000 |
| Lunacy Commission ...         | 1,000 |
| Registrar General's Office... | 1,000 |
| Board of Supervision ...      | 1,500 |

**Ireland :—**

|   |        |
|---|--------|
| Lord Lieutenant's Household ...                 | 1,000  |
| Chief Secretary and Subordinate Departments ... | 5,000  |
| Charitable Donations and Bequests Office ...    | 300    |
| Local Government Board ...                      | 15,000 |
| Public Record Office ...                        | 800    |
| Public Works Office ...                         | 5,000  |
| Registrar General's Office...                   | 4,000  |
| Valuation and Boundary Survey ...               | 4,000  |

**CLASS III.**

**United Kingdom and England :—**

|   |        |
|---|--------|
| Law Charges ...                                       | 12,000 |
| Miscellaneous Legal Expenses ...                      | 12,000 |
| Supreme Court of Judicature ...                       | 70,000 |
| Land Registry ...                                     | 1,000  |
| County Courts ...                                     | —      |
| Police Courts (London and Sheerness) ...              | 500    |
| Police, England and Wales ...                         | 8,000  |
| Prisons, England and the Colonies...                  | 65,000 |
| Reformatory and Industrial Schools, Great Britain ... | 70,000 |
| Broadmoor Criminal Lunatic Asylum                     | 4,000  |

**Scotland :—**

|                                   |        |
|-----------------------------------|--------|
| Law Charges and Courts of Law ... | 20,000 |
| Register House ...                | 6,000  |
| Crofters Commission ...           | 1,500  |
| Prisons, Scotland...              | 15,000 |

**Ireland :—**

|   |         |
|---|---------|
| Law Charges and Criminal Prosecutions ...                   | 15,000  |
| Supreme Court of Judicature, and other Legal Departments .. | 15,000  |
| Land Commission ...   | 15,000  |
| County Court Officers, &c. ...                              | 17,000  |
| Dublin Metropolitan Police, &c. ...                         | 13,000  |
| Constabulary ...  | 250,000 |
| Prisons, Ireland ...  | 25,000  |
| Reformatory and Industrial Schools                          | 25,000  |
| Dundrum Criminal Lunatic Asylum                             | 1,000   |

**CLASS IV.**

**United Kingdom and England :—**

|  |           |
|--|-----------|
| Public Education, England and Wales ...            | 1,150,000 |
| Science and Art Department, United Kingdom ...     | 150,000   |
| British Museum ...                                 | 27,000    |
| National Gallery ...                               | 2,000     |
| National Portrait Gallery ...                      | 400       |
| Scientific Investigations, &c., United Kingdom ... | 4,000     |
| Universities and Colleges, Great Britain ...       | 20,500    |
| London University ...                              | —         |



|                                   |     |     |         |
|-----------------------------------|-----|-----|---------|
| Scotland :—                       |     |     |         |
| Public Education...               | ... | ... | 150,000 |
| National Gallery ...              | ... | ... | 400     |
| Ireland :—                        |     |     |         |
| Public Education...               | ... | ... | 180,000 |
| Endowed Schools Commissioners ... | ... | ... | 150     |
| National Gallery ...              | ... | ... | 500     |
| Queen's Colleges ...              | ... | ... | 1,500   |

CLASS V.

|   |     |     |        |
|---|-----|-----|--------|
| Diplomatic Services and Consular Services ... |     |     |        |
| ...   | ... | ... | 90,000 |
| Slave Trade Services ...                      | ... | ... | 200    |
| Colonial Services, including South Africa ... | ... | ... | 25,000 |
| Subsidies to Telegraph Companies, &c. ...     | ... | ... | 16,000 |

CLASS VI.

|  |     |     |         |
|--|-----|-----|---------|
| Superannuation and Retired Allowances ...                        |     |     |         |
| ...  | ... | ... | 100,000 |
| Merchant Seamen's Fund Pensions, &c. ...                         | ... | ... | 2,500   |
| Friendly Societies Deficiency ...                                | ... | ... | —       |
| Miscellaneous Charitable and other Allowances, Great Britain ... | ... | ... | 600     |
| Pauper Lunatics, Ireland ...                                     | ... | ... | 45,000  |
| Hospitals and Charities, Ireland ...                             | ... | ... | 5,000   |

CLASS VII.

|  |     |     |        |
|--|-----|-----|--------|
| Temporary Commissions ...                      | ... | ... | 6,000  |
| Miscellaneous Expenses ...                     | ... | ... | 2,000  |
| Pleuro-Pneumonia ...                           | ... | ... | 20,000 |
| Highlands and Islands of Scotland...           | ... | ... | 5,000  |
| Chicago Exhibition ...                         | ... | ... | 5,000  |
| Repayments to the Civil Contingencies Fund ... | ... | ... | —      |

Total for Civil Services £3,202,350

REVENUE DEPARTMENTS.

|                                |     |     |         |
|--------------------------------|-----|-----|---------|
|                                |     |     |         |
|                                |     |     | £       |
| Customs...                     | ... | ... | 100,000 |
| Inland Revenue ...             | ... | ... | 100,000 |
| Post Office ...                | ... | ... | 600,000 |
| Post Office Packet Service ... | ... | ... | 180,000 |
| Post Office Telegraphs ...     | ... | ... | 450,000 |

Total for Revenue Departments £1,430,000

Grand Total... £4,632,350

THE COURSE OF BUSINESS.

MR. W. E. GLADSTONE (Edinburgh, Midlothian): The Committee and Her Majesty's Government will feel at the present period of the Session, and in the circumstances of Parliament, that we have reached a point at which it is not unreasonable that the House should be desirous of further information in respect to the probable course of Business and intentions of the Government with regard to finance and its measures, and so far foreshadowing the probable termination of the Session,

and what may follow their termination. We have reached a period of the evening at which I doubt whether there will be more time perhaps than to discuss the variety of subjects which we have notice hon. Members intend—and in many cases with good cause—to introduce to the notice of the Committee. I should be sorry to say or do anything that would in any way retard the progress of the financial business of the Government, and I would, therefore, venture to make a suggestion which I think might be for the convenience of the Committee. I believe that it is advisable that those Gentlemen who feel it necessary to call the attention of the House to special subjects should, as we have now reached 7 o'clock in the evening, have the field open to them for that purpose, so that I do not propose to enter upon any general question, or invite any general declaration from the Government on the present occasion. But I think the Committee will feel that the time is approaching when such a declaration may reasonably be expected. I do not desire them to name a particular opportunity or a particular date; but the time is approaching, and I am not so anxious for its early arrival as I am that the statement when delivered to the House should be so far as possible an explicit statement to enable us to form a fair and reasonable judgment upon what we have to expect. There will be no difficulty in finding opportunities for the purpose, and I can assure the right hon. Gentleman, that so far as I am concerned, in pointing to an eventual explanation of this kind, I do so not in the slightest degree with the idea or desire that it is likely to be made the subject of any prolonged Debate, but merely with the idea, on the other hand, that it may be simple and short, and that it will be greatly to the convenience and advantage of all portions of the House without any distinction of Party. I do not know whether the Government intend to follow up this Vote, if it is reported, with an Appropriation Bill. If they do, a stage of the Bill may offer a convenient opportunity at some future and not very distant date. If not, it may be found that there are demands by the Government for

further appropriation of the time of the House, and there could be no difficulty by arrangement, and by a general amicable understanding, in thus making provision. I, therefore, confine myself at present to repeating that the time is coming, and I am sure the Government will feel it is so when some explicit information should be given to us as to the progress of public business, and the measures with which it is intended to persevere, and the probable time which those measures and proposals are likely to occupy. The time is coming—and when it does come it is not likely to fall into the category of what we call contentious matter—when an opportunity may very easily be arranged and full notice given to the House for such explanation as may be necessary. Perhaps when it does come it will be sufficient for the guidance of the House to reasonable and practical conclusions upon the future. I do not wish the Government to say now if they will do it on a particular day. I do not know precisely when the Whitsuntide recess is to commence, nor on what date it is likely to terminate—and I do not ask them to fix a particular day when this explanation is to be made; I only ask them to recognise it in principle, and to give the House an assurance that there will be no wilful loss of time in giving the explanation to the House, with a view to enable Members to form their judgment, and to enable the country also to form judgment upon pending events.

THE FIRST LORD OF THE TREASURY (Mr. A. J. BALFOUR, Manchester, E.): I think we have reason to be grateful to the right hon. Gentleman for the moderation of the tone of his observations. He raises the view that the time is approaching when some explicit declaration on the part of the Government would be desirable in the public interest, and is to be expected by both sides of the House. And he does not propose to pin the Government down to a particular day or week, and he expresses his own opinion that at any rate the time cannot be far distant. Well, Sir, I agree with my right hon. Friend in the views he takes on this matter. I think with him that a proper

occasion may be easily found, by mutual arrangement between the two sides of the House, when the statement he asks for may be given; and, in the meantime, following out the suggestion which he has hinted at, rather than explicitly made, it would, perhaps, be best to defer until that occasion arises any statement on the part of the Government with regard to the state of public Business.

MR. LABOUCHERE (Northampton): As we are now approaching the question of the Vote on Account I have a point to raise before the Committee deals with the Colonial Vote, and I am obliged to anticipate my hon. Friend.

#### LINLITHGOW PALACE.

MR. MORTON (Peterborough): I rise to Order. I have a Notice on the Paper referring to a Vote which comes before that referred to by the hon. Member, and I presume I shall be allowed to go on with it. I beg to move that the Vote be reduced by £100. I do not desire a Division on this matter. All I want is some information from the right hon. Gentleman the First Commissioner of Works (Mr. Plunket) as to the intentions of the Government respecting Linlithgow Palace. On several occasions during the past few years I have called attention to the bad state of repair which the palaces and public buildings in Scotland have been allowed to fall into. There is a general opinion in Scotland that ever since the Union it has been the policy of the British Government to permit those places to go to ruin, with the view of getting them out of the way as soon as possible. With regard to this particular palace, I may say that the Edinburgh Architectural Association, and other associations in Scotland, have expressed the opinion that the sum of £250 which is proposed to be spent both this year and another £250 next year is not anything like sufficient to put this palace in a proper state of repair. I have had a number of letters from these associations which I will not take up the time of the Committee in reading, although I should like to quote one or two extracts just to show what is the

*Mr. W. E. Gladstone*

opinion of these bodies on this matter. Referring to Linlithgow Palace the Edinburgh Architectural Association passed the following Resolution:—

“That the association feels that the buildings of the palace are presently in a critical state and express a hope that without delay such steps will be taken by the Government as will prevent the further internal decay of the palace through exposure to the weather and remove the immediate risk of the masonry falling, and thereby causing serious destruction to the remainder of the fabric.”

I may here mention that I have read that this building was wantonly destroyed to a large extent by British troops in 1746, and has never since been put into a thorough state of repair. Within the last few days I have received a copy of the Report of the Committee of Council of the Edinburgh Architectural Association, signed by the hon. sec., in which they say—

“Looking to the extent of the buildings the sum of £500 which the Committee understand is proposed to be included for repairs, by two instalments in the Estimates of this year and next, is quite insufficient to ensure the safety of the buildings.”

I hope the right hon. Gentleman will give a full and complete answer as to what is proposed to be done in this matter, and that he will also consider the representations made by this Association, which are well worthy of his attention. No doubt other hon. Members take as much interest in this question as I do, although my profession is such as leads me to notice public buildings especially.

Motion made, and Question proposed, “That the Item of £15,000, for the Royal Parks and Pleasure Gardens, be reduced by £100.”—(*Mr. Morton.*)

THE FIRST COMMISSIONER OF WORKS (Mr. PLUNKET, Dublin University): The state of matters with regard to Linlithgow Palace I can very easily explain to the hon. Member for Peterborough. The grounds upon which we have asked for £250 for this year are that the whole matter has been carefully considered by our surveyor in Scotland—who is a very able officer—and he has reported to us that £500 will be sufficient for the purpose of preserving the palace from decay and further ruin. Another proposal which has been made to us is that the palace should be practically restored, and

made in point of fact a habitable building—that it should be restored to the position of a palace of dignity and rank. Well, Sir, that is a proposal I cannot undertake to entertain. We believe that the sum we have asked for is sufficient for the time for which it is asked to preserve the building from any real danger of decay or accident. If, however, the hon. Member (Mr. Morton) should submit to me on the part of the various Associations he has referred to, or any other body, any reasons for thinking that the plans we have proposed and the money we have asked for are not sufficient to maintain in safety and preserve intact the natural beauty of the ruins of the palace, I shall be happy to consider them, but I cannot on behalf of the Government undertake to entertain any proposals that may be made for the restoration of Linlithgow Palace.

MR. M'LAGAN (Linlithgow): The right hon. Gentleman has stated that a proposal has been submitted to him for restoring this palace again to the position of a habitable Royal Palace. I do not go that length, but I think a part of it at least should be so far restored as to be made available as a museum. There was one statement which the right hon. Gentleman made that I received with pleasure—namely, that if the sum voted to-day is not sufficient to put the buildings in order and preserve the ruins, he will be prepared to ask the Committee to vote a larger sum. At the same time, if he could see his way to carry out my suggestion, and add to its attraction as a beautiful ruin that of a museum, I think it would be of great advantage to the people who visit it.

MR. MORTON: I have to thank the right hon. Gentleman for what he has said, and I wish to ask him if he will let the Association have a copy of the Report of the surveyor in Scotland he referred to. The right hon. Gentleman, I presume, quite understands that the Association I have referred to do not consider £500 sufficient to put Linlithgow Palace into such a state of repair as to preserve it; and I will take care that they shall have an opportunity of presenting to the right hon. Gentleman any further observations they have to

make on this important matter. I now ask leave to withdraw my Amendment.

MR. HUNTER (Aberdeen, N.): I should like to point out that although what the right hon. Gentleman (Mr. Plunket) said was very satisfactory as far as it went, he did not express any opinion upon what I understand to be the main point of the position. The Edinburgh Architectural Society are of opinion that there is only one possible way by which the ruin can be preserved, and that is by roofing it, and that this £500 falls short of what is required.

MR. PLUNKET: In answer to the hon. Member for Peterborough I may say it is not usual to lay these Reports on the Table of the House. I shall, however, have pleasure in informing him of the substance of the report of the Surveyor in Scotland, but I have not a copy of it with me just now. As regards the point raised by the hon. Member who has just sat down, I cannot undertake to promise to put a new roof on this building, but we will protect it in every way necessary to preserve it from further decay.

#### Kew Gardens.

DR. TANNER (Cork Co., Mid.): I want to say a word in reference to Kew Gardens. Up to somewhere about 1888 people were not allowed to take into Kew Gardens a basket or a packet of sandwiches, for fear they might throw paper on the walks or grass, and in that way damage these gardens. Well, Sir, after a good deal of trouble, the Government consented to the erection of a kiosk, and I can assure the right hon. Gentleman that the management of it is distinctly bad. The tea is poured out from a big tin can, in which it is all boiled together, and this vile concoction, and coffee just as bad, is sold to the public, and served by German waiters, who are almost ignorant of the English language. I paid a visit to these gardens last Sunday, and I heard a great many people complaining about these things, and I hear that the management is just as bad on public holidays when people from London go down there to enjoy themselves. I hope the right hon. Gentleman will see his way to look

*Mr. Morton*

into this matter. Then I should like to impress upon the right hon. Gentleman the necessity of making the ordinary summer houses in Kew Gardens brighter. With the manifest advantages Kew Gardens possess, they might be made very much more attractive. I hope the First Commissioner will look into these matters, for when he does he generally finds we are in the right. We had to agitate some time for the kiosk before it was erected, but now we have it we desire to see an improvement in the existing state of things. I might add, too, that the kiosk is not large enough for the public requirements on holiday occasions, especially when we are blessed with such waiters as are now employed there. I hope the right hon. Gentleman will direct his attention to this matter and give us a satisfactory reply.

MR. EDWARD HOLDEN (Walsall): I could hardly believe the other day that the right hon. Gentleman was serious when he stated that in order to benefit students Kew Gardens are not open to the public before noon. To-day I went to the National Gallery, and I found that although students were at work the public were admitted. Why should not the same thing be allowed at Kew Gardens? These Gardens belong to the public—not only to Londoners, but to the whole country; and I say it is a perfect disgrace that they should not be open before twelve o'clock. On one of my visits to Kew Gardens, I asked some of the workmen whom I saw about whether there was any reason why the Gardens were not open earlier—I generally find one can get from the lower officials more information than from the higher—and they told me they did not know of any reason. I asked if they had ever seen students at the Gardens, and they said that occasionally they saw some. I ask the right hon. Gentleman to be considerate towards the public, and I most strongly press upon him the desirability of opening Kew Gardens not later than eight or nine o'clock in the morning.

MR. PLUNKET: The hon. Member for Mid-Cork (Dr. Tanner) has some *locus standi* for bringing forward his complaint, because he is really the



author of the kiosk in Kew Gardens, and I may add that it has been a very popular institution there. Since he put his question respecting Kew Gardens on the Paper I have instituted inquiries, and I must say that so far as I can learn the hon. Member must have been unfortunate in the particular moment he was there, and in the waiters he had to address, because I am sure that the general opinion is that the refreshments at Kew Gardens are as good as can be expected in such a hurried entertainment, and that the same can be said of the waiters. It is impossible for the caterer to always have at hand a large staff of waiters, and, considering how the number of visitors to Kew Gardens fluctuates, some allowance should be made. Then I am asked about opening before twelve o'clock. The only demand so far as I know that the Gardens should be opened before that time comes from people who live in the immediate neighbourhood.

MR. E. HOLDEN: I live in the South-west, and I have not been able to get in when I desired.

MR. PLUNKET: The reason why the Gardens are not open earlier is because it would be necessary to increase the staff. We should have to engage more men if the public were admitted in the early morning, but if there were a substantial demand on the part of the public generally, the additional expense would not be allowed to stand in the way. The view that we take is that Kew is not only a place where the public can go to enjoy the pretty sights and pleasant gardens, but it is a great school of horticulture, not only for England and the Colonies, but for the whole world. There is no other place like it in the world, and very often students come from long distances to avail themselves of the advantages which the Gardens afford. I may say that any person who wishes to go there to take photographs or for any purpose of that kind will find no difficulty whatever, and I promise the hon. Member that if he will apply to the Director, he will at once receive the permission without any difficulty.

MR. E. HOLDEN: What about the new guide?

MR. PLUNKET: It is approaching completion, and will, I believe, be published in a few days.

(7.32) DR. TANNER: I should like to suggest that the tea at Kew Gardens should be served in small tea-pots instead of being drawn from one of those horrible apparatus which are in use in prisons, as many of us know. I should also like to suggest with respect to Hyde Park that at certain times in the day, at least, cabs and bicycles should be permitted to go through. Perhaps at a certain time of the day the aristocracy must be permitted to use the parks at the expense of the people, but I think during business hours cabs and hansoms should be allowed to drive through. The congestion in the Brompton Road, at Hyde Park Corner, and even at the Marble Arch is something terrible, and now that the timber pavement is up people are put to great inconvenience. The opening of the park would greatly relieve the obstruction, and I hope the right hon. Gentleman will consider the matter. Then there is another matter in which I am not the only person who takes an interest, that is the question of plants on the Terrace. The matter was mentioned in 1883, and there is no doubt that something could be done. This portion of London is not particularly exposed, and is no colder than Paris, where orange and lemon trees are cultivated with great success. I have spoken to some of the officials at Kew and they tell me that plants could be placed along the Terrace without any difficulty. Hon. Members might have smiled when I put the question this afternoon. I think we ought to have some eucalyptus trees in pots on the terrace. You have plenty of them at Kew, and they would make the Terrace much more attractive. I should like also to call the attention of the right hon. Gentleman to the want of ventilation in the Ministers' lobby.

THE CHAIRMAN (MR. COURTNEY, Cornwall, Bodmin): Order, order! That does not arise on this Amendment.

Motion, by leave, withdrawn.

Original Question again proposed.

## PALACE OF WESTMINSTER.

(7.43.) DR. TANNER: I hope the right hon. Gentleman will consider the question of plants that I have mentioned. Yesterday afternoon and evening this place was turned into a sort of flower garden for the benefit of some friends of the Home Secretary, and anybody who saw that display will know that what I want can easily be done. Then I should like to call the attention of the right hon. Gentleman to a sanitary matter. The gallery outside is really in a pestilential condition, and I am sure hon. Members will bear me out that during the warm weather of the last few days the atmosphere has been very bad. There is no top ventilation. The same remark applies to the lobbies outside the Committee Rooms, and owing to the absence of ventilation there the atmosphere is in a dangerously bad state. I say this is an absolute disgrace. I have gone thoroughly into the drainage system of this House, and I say that it is not what it ought to be. The main system is good, but there should be traps to all the smaller lavatories. We hear complaints of the atmosphere at the east end of this House, and that arises from the want of traps. This is a matter of great importance, and I hope some practical improvement will be achieved.

\*MR. MORTON: I have a notice of Amendment down; but, as time is limited, I will not press it. But I should like to ask a question about the salaries of the lower class officials of this House. I think they are not sufficiently well paid, and I hope the right hon. Gentleman will take that matter into his consideration. We have heard that the Home Secretary had a party or *soirée* on the Terrace yesterday. I am only interested to know whether any part of the expense will appear in the Estimates, and also whether we may invite our constituents to a *soirée* on the Terrace and make use of the precincts of this House?

MR. PLUNKET: I have nothing to do with the salaries of the officials; I have to do with the buildings.

MR. MORTON: Who has?

MR. PLUNKET: In answer to the hon. Member for Cork, I may say I am

afraid he will not make much impression on me personally, because I am opposed to the introduction of plants. The scheme was tried, but the plants were taken away. My own personal feeling is that they would not be any improvement to the general effect of such a building as this; but if there were an expression of opinion in favour of the plan by a majority of the Members I should not allow my own personal opinions to interfere.

DR. TANNER: On the subject of the kitchen I should like to say that I have heard a large number of complaints. The money advanced through the office of the Serjeant-at-Arms, £1,000, is not sufficient, and we shall never get the service properly effective until we grant a larger amount. I do not suppose I should be in order in moving an increase in the Vote; but I think another £500 ought to be added, and I hope the Government will take this matter into consideration, and see that the convenience of Members is properly studied.

MR. PLUNKET: The kitchen does not come under my Department, and I am not a member of the Committee, but I will communicate what the hon. Gentleman has said to the Chairman of the Committee.

## THE PERSIAN TOBACCO CONCESSION.

MR. LABOUCHERE (Northampton): I asked a question the other day of the Under Secretary for Foreign Affairs, and, allowing myself to be carried away by my feelings, I made use of language for which I was very properly rebuked by Mr. Speaker. I therefore think it my duty to lay before the House the facts in regard to the intervention of Her Majesty's Government in regard to this Tobacco Corporation in order that they may form an opinion as to whether I was right or wrong in the allegations I made. On the 8th March, 1890, the Shah of Persia gave a concession to a Mr. Talbot, who engaged to pay out of the profits of the concession when it was carried into effect a sum of £15,000 per annum to the Government of the Shah, and one-quarter of all profits. I do not believe that Mr. Talbot actually paid anything to the Persian Government, and his promises were all prospective.

arising out of profits to be made. On the 3rd May Mr. Talbot sold this concession to the Eastern Concessions Syndicate Company. The usual thing when persons wish to bring out companies, and wish to withhold their own names, is that they call themselves a syndicate, and get up a company more or less bogus. Then these syndicates, unless they are intended to bring out other companies, disappear entirely from the face of the City. It is not stated what amount Mr. Talbot was paid for the concession which he sold to this Eastern Concessions Syndicate Company, and, judging from the dates, I should think that in all probability this company and Mr. Talbot were the same individuals. On the 3rd of November the Eastern Concessions Syndicate Company sold this concession, for which absolutely nothing had been paid, for £300,000 to the Tobacco Corporation of Persia. A portion of this money was paid in cash and a portion in shares. But not only were they to receive this amount, but they were also to have a number of founders' shares, which were to draw half of all profits over fifteen per cent. On the same day a prospectus was brought out asking the public to subscribe to the shares of the Imperial Tobacco Corporation of Persia, with a capital of £650,000. The prospectus is much after the usual manner of prospectuses, except that it seems to me rather more exaggerated in its statements than prospectuses usually are. The people who were unwise enough to take shares were asked to imagine that the profits were likely to reach as much as £371,000 per annum, or, in other words, that the Corporation was going to give a return of more than one hundred per cent. on all the capital really expended. In the present year the Government of the Shah found that the people of Persia were indignant at this concession altogether. The effect would be to raise the price of tobacco about one hundred per cent., and really the thing was, in fact, a *regie*. All tobacco cultivated was to go into the hands of the Corporation, who were to sell it, it appears, at any price they liked. In any case the price must have been excessive if they were to make this large profit. When the people almost re-

belled against this concession, the Shah re-considered the matter and determined to abrogate it, and now comes in the intervention of Her Majesty's Government. I have asked for the contract, but have not been able to obtain it; but we were told at one time that there was a clause in the contract permitting arbitration. But the Shah refused or objected to arbitration, and, therefore, the good offices of Her Majesty's Government were employed on both sides. We have not got this contract, but common sense tells us that if there was any arbitration clause it was not put in with any idea that the Government of the Shah intended to abrogate the concession. What occurred in Persia we do not exactly know, because, although papers have been promised, we have not yet got them. I have elicited that the Persian Government were advised by Her Majesty's Government to pay the sum of £500,000 to the Corporation in consideration of having abrogated the contract. Have the Government looked into the contracts; have they estimated the value of the property of the Corporation; have they discovered what part of the £350,000 has been *bonâ fide* expended in giving effect to the concession? I gather that they have done absolutely nothing of the kind. The Corporation asked for £650,000, and then said that they would be satisfied with £500,000, and without making any inquiries Her Majesty's Representative at Teheran advised the Shah to pay that sum. We know the pressure put upon the Shah in this matter. We know perfectly well, from what appeared in the *Times*, that he thought he would have recourse to the Russian Government to get this money which was being extorted by the British Government for the benefit of these extraordinary speculators. Look at the position of the Corporation. None of the £350,000 really passed; and when I asked about that sum to-day, I was told that the Corporation had expended about £150,000 in Persia, so that between these sums there is an enormous difference. The Shah will receive what the Corporation says is worth about £100,000 in buildings and tobacco. I ask the Committee whether, under these circumstances, it was proper for the Government to interfere?

When Lord Rosebery was head of the Foreign Office a Circular Despatch was sent round to Her Majesty's Representatives telling them they should be exceedingly careful in taking up cases of concessions and endeavouring to obtain money from foreign Governments. I think in all cases where a concession like this is obtained it must be left to the person who gets it to negotiate with the foreign Government, as the matter does not concern us. If it is desirable that these speculators should receive the support of the Government it seems most extraordinary that the Government, with these facts before them, and being able to see the contracts, should have pressed the Persian Government to give £500,000. The Persian Government will not get the money at less than five per cent., and so the unfortunate people of the country will have a charge of £25,000 a year imposed on them to pay a sum the greater portion of which has not been spent by these speculators who will simply divide the spoils among themselves. I have laid the facts before the Committee, and I think it will agree that I have been justified in what I have said.

\*(8.7.) THE UNDER SECRETARY OF STATE FOR FOREIGN AFFAIRS (Mr. J. W. LOWTHER, Cumberland, Penrith): I regret that the hon. Member did not wait to see the Papers before making what I cannot but call an attack on the Government. I have already explained to the hon Gentleman and the House that negotiations are still proceeding; the matter has not yet arrived at an issue, but I have very little doubt that very shortly a decision will be arrived at. Papers are in an active course of preparation, and will be immediately presented to the House. In the meantime, I may point out one or two mistakes into which the hon. Gentleman has fallen. In the first place, I maintain that the Government and Her Majesty's Representative were in no way called upon to inquire into the financial status or proceedings of this Corporation. A concession had been granted without the knowledge of Her Majesty's Government, which took no part in it. The concession was sold by Major Talbot to a Corporation—the Persian Tobacco Corporation. The

Corporation got to work and expended a certain amount of money in Persia, and for a considerable time affairs went smoothly. Then the occasion arose when, in consequence of disturbances, it seemed good to the Persian Government to cancel the concession. Thereupon, a decree was issued by the Government against the concession. The concession contains an Arbitration Clause under which, in the event of misunderstandings arising between the concessionaire and the Government, the matter is to be referred to arbitration, and the words clearly cover this case. What was the action of the Corporation? The Corporation came to Her Majesty's Government and said, "This concession, which it has seemed good to the Persian Government to grant, and from which it may be presumed they were going to derive some benefit, has been suddenly abrogated. We would wish to submit the question of compensation to us to arbitration." The proper course—the only course—which Her Majesty's Government could take—and which they did take—was to suggest to the Shah and the Persian Government the desirability of submitting the question to arbitration. Negotiations went on for some little time. The Corporation pressed for arbitration in the matter; they were perfectly ready to refer their whole claim to arbitration. The Persian Government were not prepared at that time to accept arbitration, and negotiations went on between the Persian Government and the Corporation. The demand by the Corporation of £650,000 for compensation was met by an offer on the part of the Persian Government of £300,000. The two parties, however, did not agree, and negotiations still went on. Her Majesty's Government were again asked to press on the Persian Government the desirability, as they would not agree, of submitting the whole question in dispute to arbitration, and Sir F. C. Lascelles brought that consideration before the Persian Government. Soon after that the Persian Government and the Corporation agreed upon the sum of £500,000. The hon. Member spoke of the £500,000 being extorted; Her Majesty's Government never pressed for

*Mr. Labouchere*



that or any particular sum, all they pressed for was that the whole claim should be submitted to arbitration. The Persian Government did not see their way to arbitration, and made an offer to pay £500,000, and take over the assets. That offer has been accepted. I am afraid it is impossible for me to go into further details as to what has passed since. As I have said before, the matter is not yet concluded, therefore it would be improper on my part if, while negotiations are going on, I said anything further. I assure the hon. Gentleman that Papers are almost ready for presentation, and we expect a settlement will be arrived at in a very short time between the Persian Bank—who are acting for the Persian Government in this matter—and the Corporation. As soon as that settlement is arrived at a full account of the part the Government have taken in the matter will be laid before the House.

\*(8.17.) SIR G. TREVELYAN (Glasgow, Bridgeton): We have now had three accounts—that of the *Times*; that of my hon. Friend below the Gangway, and that of the hon. Gentleman opposite, and they all agree. From the very first moment I had an opportunity of reading an account of the transaction in the *Times*, I felt, I must say, that it was a very doubtful case, and might become a very painful one. The first point on which no explanation has been given by the hon. Gentleman opposite, and the point on which I think the public would wish to have an explanation, is: Into whose pocket did the real money go—the money, that is to say, which some private influence on the Persian Government has put into the pockets of one or more private individuals? I accept the statement of the hon. Gentleman that the influence was not the influence of Her Majesty's Government; but it was the influence of someone belonging to this nation, and someone whose cause has been taken up by the Government. I do not think the British Government ought to have taken up this case at all unless they were prepared to give the House of Commons and the country explanations which would set the national conscience at ease. What has happened? Some private jobbers have got from the Persian Government a

concession which it is very difficult to estimate at a less value than three or four millions, and with a nominal capital of £650,000, and a real capital of £300,000, the prospectus promised profits of £370,000 a year. That would be a net profit of about £300,000 to be taken from the Persian people, and given by the Persian Government to one or more private individuals for motives of which we know nothing whatever. The Government should have inquired—perhaps they have inquired—as to what those motives were before they took up the cause of these gentlemen. Anyone who has read the Oriental history of the last twenty years knows what tremendous pressure can be exercised by Ministers upon one of these small countries, and on a country which, to some extent, is a dependent country, as this story proves. If the Government had left the matter alone these jobbers would have got certainly not more than £300,000 in what is called compensation; I very much doubt if they would have got anything at all. Now, my belief is that the right hon. Gentleman opposite has as high a standard with regard to financial matters as any man in the House, and I should be very glad indeed if he would look into this matter himself. We must remember that this power of pressure in commercial matters on the part of the British Government is a most valuable one when used in protecting legitimate commerce, and it should never be misused by doing injustice to half-organised and weak countries for the sake of people who cannot be thought to be pursuing legitimate commerce. The hon. Gentleman opposite used one expression which I was glad to hear—he said the thing had not come to a definite issue. I hope that means that the transaction is not complete, and I trust that the action which my hon. Friend has taken to-day will prevent the Persian Government being taxed, not to the extent of £25,000 a year, for the money would not be borrowed at five per cent., but to a far larger extent, to the end of time.

\*(8.23.) MR. SEYMOUR KEEL (Elgin and Nairn): I was surprised when the hon. Gentleman opposite<sup>attach</sup> us that the individual who origi<sup>represent</sup>-

got this concession was Major Talbot. There are so many Talbots engaged in the different stages of this affair that I think he must have made a mistake. I do not think he could have meant Major A. C. Talbot, who is the Political Representative of the Indian Government in Persia. I take it that it would be perfectly absurd that he, in his official seat, should have taken up this concession.

MR. J. W. LOWTHER: It is not the same person. There are two gentlemen named Major Talbot. The concessionee is Major G. H. Talbot.

\*MR. SEYMOUR KEAY: As a matter of fact, Major A. C. Talbot and Major G. H. Talbot are brothers, and they are family connections of Lord Salisbury, which, no doubt, made the management of the private negotiations much easier. I think my hon. Friend put the case too mildly when he said that pressure only came in when the question of £650,000 or £500,000 was at issue between the Corporation and the Persian Government. My belief is that the transaction took place something in this way. Major A. C. Talbot, Her Majesty's Representative in Persia, gets out his brother, letting him know that something very fine indeed is to be got by a little judicious management.

MR. J. W. LOWTHER: At the time the concession was made Major A. C. Talbot was not in Persia.

\*MR. SEYMOUR KEAY: I have known Major Talbot for a quarter of a century, and I can assure the hon. Gentleman that he has spent an enormous part of that time in service in or near the Persian Gulf, and his absences have not been long. I think I remember that he has occupied some position there longer than eighteen months. He has long been acquainted with Persia, and had all the opportunities I have mentioned, if he chose to use them, and could put up his brother and aid him in getting a very good thing if he went out to Persia. A Political Resident is all-powerful where such private and semi-private matters are concerned. I know this, having seen something of the Hyderabad-Deccan scandal, which was the subject of an inquiry in this House, the P&W was in Hyderabad in time to be

the first to expose the swindle. In my mind the getting out of this brother and putting pressure on the Persian Government to entertain the matter of the concession was probably compassed in exactly the same way as the Hyderabad Government was duped into practically giving away a million of money for nothing at all to certain Europeans. As the hon. Gentleman did not inform us to the contrary, we must assume that Mr. G. H. Talbot went to Persia with the knowledge of his brother, now Her Majesty's Representative in the Persian Gulf. We are now told he went there unknown to Her Majesty's Government, and obtained this gigantic concession unknown to the Government. Is the hon. Gentleman prepared to say that he obtained it unknown to his brother?

MR. J. W. LOWTHER: His brother was not in Persia at the time; he was an Anglo-Indian official in Turkish territory.

\*MR. SEYMOUR KEAY: I do not know what he was doing in Turkish territory, as he has always been engaged at or near the Persian Gulf. Perhaps the hon. Gentleman will tell us in what part of Turkish territory he was; how long he was absent from Persia; and what was to prevent him knowing what his brother was doing? There is no reason why the affair should not have been planted between the two brothers, and the Government have made no inquiries on the point. Or if they have made any inquiry, the hon. Gentleman has not told us that Her Majesty's Government are prepared to advise the Indian Government to take due notice of such a matter having been arranged between their public servant and his brother. Although he was not at that moment technically Her Majesty's Representative, he had spent years in service in Persia, and must be held to have a thorough knowledge of matters which would enable him to plan out such a concession and bring the required pressure to bear on the Persian Government.

(8.30.) MR. BRYCE (Aberdeen, S.): Whether this was the case of a "plant" between these two brothers or not is a question which I do not intend to go into. But the Government have ad-

*Mr. Seymour Keay*

mitted enough to give much cause for suspicion. The first point which was left in doubt by the Under Secretary of State, and which I think suggests some serious questions, is: What is the nature of this Arbitration Clause? An arbitration clause in a contract usually is a clause providing for a reference to arbitration of differences that may arise between the two parties to the contract; but here we have a suspension of the contract altogether. Here the contract itself is nullified and put to an end by the Persian Government. The hon. Gentleman has not told us, and I should say that it is unlikely, according to the usual practice in these cases, that the Arbitration Clause is one which contemplates a suspension of the contract. Such a clause usually comes into force should a difficulty arise in the interpretation of the contract. Therefore, I do not think that the Committee will be in a position to form a correct judgment upon this matter till we see the Arbitration Clause. The hon. Gentleman tells us that the Persian Government refused to go to arbitration, although the Corporation was willing to do so. Why did the Persian Government refuse? Who suggested this arbitration? I do not think the Persian Government would have fared worse by going to arbitration than it eventually seems to have fared in the arrangement that was made, because the Persian Government was asked by the Corporation to pay compensation to the extent of £600,000, and ultimately they paid £500,000, although at first they offered them no more than £300,000. And I must say, judging from the facts, that that was very ample compensation, because it seems to be very far in excess of what the actual business of the company was worth, including the stock-in-trade and the expenditure which the company had incurred. Therefore, when we find that the Persian Government persisted in offering only £300,000 and then suddenly gave £500,000, we must conclude that the operation was only owing to the beneficent intervention of Her Majesty's Government, because nothing less would have induced the Persian Government to acquiesce in what was an exorbitant demand. If that is not pressure I do not know what pressure is. Surely nothing less than

pressure applied by a powerful State, such as Great Britain, would be sufficient to induce the Persian Government to make such a concession to this Corporation as to pay them £200,000 extra. The hon. Gentleman has adverted to the circumstances under which this was done. I am bound to say if there is any case of a country where the power of the Foreign Office ought to be carefully used, it is the case of a country like Persia. Persia is a country which occupies a very peculiar position. It lies between, so to speak, two great Powers. One of these great powers is Russia, and the other is the Indian Empire; and if Persia is dependent upon any country, it is dependent no less upon its Indian than upon its Northern neighbour. Under these circumstances, our Government ought to be very careful not to press Persia unduly, not to make the Government of this country unpopular in Persia, and not to urge undue demands. Considering what the attitude of the other neighbours of Persia is, I should have thought that this was one of the cases in which the general principles that guide the Foreign Office in dealing with other Powers ought to have been very scrupulously applied. The Committee knows what are these principles. If hon. Members will consult the Papers laid before the House in 1886, they will find there laid down, following the Circular issued by Lord Granville in 1881, the principles that ought to be applied by the Foreign Office in its endeavours to support British subjects in pursuit of their commercial enterprise abroad, and especially in their efforts to obtain concessions from Foreign Powers. It was there laid down by Lord Granville, and afterwards by Lord Rosebery, and so far as I know it has hitherto been uniformly followed by both Parties in the State, that attempts to obtain concessions ought to be dealt with by the Government, and by Her Majesty's Representatives abroad, with most cautious care and tact, not only because it is desirable not to waste our influence, which should be reserved for political purposes, upon mere pecuniary matters, but also because a great deal of suspicion is likely to attach to the Foreign Office and its Represen-

tatives if they endeavour to press the claims of their own subjects. These are the principles which will be found to be in force, and the cases stated in the Despatches amply justify the view I take. I put it to the Under Secretary that the action of the Government was not taken in obtaining a concession but in endeavouring to obtain compensation.

MR. J. W. LOWTHER: In obtaining arbitration.

MR. BRYCE: I must repeat that I look at the matter by the result. What is contended on the part of the Government is that all our Representative did was to ask the Persian Government to go to arbitration. What we see is that the Persian Government which offered £300,000 found itself obliged to pay £500,000; and we can only account for that change by attributing it to the pressure and undue influence exercised by Her Majesty's Government through their Representative. I submit therefore to the Committee that in a matter of this kind, so far as my present information goes, the principles which ought to guide the Foreign Office seem to have been transgressed; and that that influence, which ought to be reserved for purely political cases, or at any rate for the promotion of commercial enterprise and not for the purpose of promoting mere personal speculation, has in this instance, so far as I can learn, been abused. Her Majesty's Government will be bound, when the proper times comes, to give a much more complete justification than they have given to-night for conduct which on the face of it has the appearance of being unfriendly towards Persia and calculated to bring Her Majesty's Government into disrepute both in Persia and wherever else it is known.

\*(9.10.) MR. WINTERBOTHAM (Gloucester, Cirencester): I wish to say a few words on the tobacco concession in Persia, and I should not have said anything at all about it but for what has been stated in this House. I think this is too grave a matter to pass without a protest against the very insufficient explanation that has been given by Her Majesty's Under Secretary of State for Foreign Affairs. He began his speech by saying that my hon. Friend the Member for

*Mr. Bryce*

Northampton (Mr. Labouchere) had been guilty of several inaccuracies. But, Sir, so far as I heard, I failed to find a single point upon which any inaccuracy was pointed out. On the contrary, as the explanation of the right hon. Gentleman went on, the case appeared to me to be graver and graver, and to require more and more explanation. I wish to state what the facts are as they appear to me, without any knowledge of them beyond what has passed in this House to-night. Two gentlemen, said to be brothers, alleged to be officers of the Queen, one of them holding high diplomatic service, hailing from Hatfield, stated in the Debate to be relations of the Prime Minister — statements not denied — a concession obtained from Persia, upon what terms? Talk about company-mongering! I have the published prospectus in my hand. Here is a capital of £650,000; a profit estimate of £558,000 a year; 80 per cent.; Persia to have £15,000 a year and a small share of surplus profits out of it, and to be got out of the unhappy Persians for the payment of shareholders' £543,000 net profit. You have to go back, in my opinion, to the old days of the jobbery under the East India Company to find anything more utterly atrocious than this affair. Then you find popular indignation in Persia aroused; the Persian Government quite unable to withstand it, and I do not wonder at it. Even in a country like Persia there is such a thing as public opinion. Poor Persia, obliged to cancel the concession, offers £300,000 to buy off these robbers, and it is refused. Why? Because they have got the English Foreign Office at their back. It has been owned by the right hon. Gentleman that our diplomats, our representatives, in Persia pressed upon the Shah's Government that they ought to refer this thing to arbitration. Why did they not turn round and say: "This thing is a swindle; £300,000 is double the money you have spent; take your plunder and go?" The explanation given to-night casts a slur upon officers and public men, casts a slur upon the English Government, and casts a slur upon the Diplomatic Service, and cannot rest where it is. It must be cleared up—I sincerely hope



it can be cleared up—and I think these Papers must be produced at once. They have been promised; we must have them at once, and we must have the fullest explanation. There is only one other thing that I want to say, and that is that these Papers and this explanation must come before a settlement is completed, and not after. I understood the right hon. Gentleman to say that the matter was not completed, and it ought not to be completed. If there is any truth in the facts as they appear to any impartial man who has heard the Debate, and has heard the lame and impotent explanation of the right hon. Gentleman, I say that, for the honour of England and for the honour of our statesmen, the transaction ought not to be allowed to be completed until the Papers are before us, and until a full explanation has been given of the facts.

\*(9.15.) MR. MORTON: I do not desire to prolong this Debate, because I understand that Papers have been promised, but it must be quite obvious that the matter cannot rest where it is at the present moment, because it has been proved, so far as you can prove these things, that the influence and power of the British Government have been used to induce, in some way, the Persian Government to find a large sum of money, said to be £500,000. It is also mentioned that some of the parties concerned in what you may fairly and properly call plunder are not only officers of Her Majesty, but relations of the Prime Minister. I should like to ask the right hon. Gentleman—I am not making any accusation against the right hon. Gentleman, who not only answers questions very fairly, but is also always very courteous—whether the statement that these officers who have been mentioned are relations or connections of the Prime Minister of this country. It is just as well to tell us at once, because you cannot conceal it for very long, and we ought to know. There is another reason why I think this matter should be sifted to the bottom. We ought to take care that no wrong is done so far as we can help it. It is all very well for the power of this country to be used against a weaker and smaller Power for getting money in this way, but it

always leaves a bad feeling behind, and it may be the cause of war at some future time. There is hardly one of the many little wars in which we are engaged from time to time which is not due to some extent to the ill-feeling created at some time in connection with money affairs. It is very unfortunate with regard to Persia, because the Russian Government is brought into the matter in some way, although we are told that the Persian Bank is going to find the money. But the Persian Bank will not find the money without it has security of some kind, and it is very likely that ultimately it will be British money that will be found to pay this large sum. I hope this Committee and the House of Commons will take care, if these statements are true, that the power and influence of this country are not in any way used to benefit these speculators or company-mongers, or whatever you like to call them. I am satisfied that if I, or any other humble Member of this House like myself, were to be engaged in trade, and wanted the Government to assist in collecting our debts, they would very properly refuse to do so. Are these favourites of the Government, and relations of Ministers, as it has been said, who use the power of this Government to compel smaller and weaker Powers to find these large sums of money? I think it is high time, not only for the interests of the country, but for the honour of the country, that we should put a stop to it if it is so. I do not propose moving a reduction in this case, as Papers have been promised, but I trust these Papers and the fullest possible information on the subject will be forthcoming at an early date.

(9.20.) MR. HUNTER (Aberdeen, S.): The question before the House has, I think, taken a very serious and grave aspect; and before another step is taken by Her Majesty's Government in a matter which appears, at all events, to gravely compromise the honour of the Government, there should be a special and searching inquiry before a Committee of this House as to the nature of this concession—not merely as to the circumstances under which it was granted, but as to the consideration for which it was granted,

and as to the position of the Persian people. It does not seem to come within the category of those legitimate mercantile or commercial transactions which deserve the assistance of the Government. It is a strong measure for a Government to interfere to promote private interests in foreign countries. That is not the object of the establishment of diplomatic relations; and although undoubtedly diplomatic pressure may in certain circumstances legitimately be employed for legitimate commercial transactions, it is most important that the Government should not go one hair's breadth beyond what would be recognised by everybody as an honest and fair commercial transaction. But what is this? On the face of it an impecunious gentleman goes out to the Government of Persia. It so happens that his brother had for many years occupied the very influential post of British Representative in these dominions. We are told that at the moment when this transaction occurred the brother was not actually there, but it is impossible to disregard the fact of the Persian Government having entered into negotiations with Mr. Talbot. That is a matter which should be searchingly inquired into. But it is not all. Mr. Talbot gives no consideration for this concession. It is nothing more nor less than a conspiracy entered into between Mr. Talbot on the one hand and certain officials of the Shah on the other, to extort unreasonable and monstrous prices for tobacco from the people of Persia, the greater part of the plunder to go to Mr. Talbot and the smaller part to the Shah. The Persian people dealt with it as we should have dealt with it. They rose in rebellion against it, and I believe it is entirely due to the extortions practised by the concessionaries that they did so. Had they been moderate they might have been successful, but they wanted to make £370,000 a year for no consideration at all. Having regard to the relationship which exists between the gentleman who got the concession and his brother, a British officer closely connected with Persia, and having regard to the relationship existing between these brothers and the Foreign Secretary, it seems to me that this was of all

*Mr. Hunter*

cases in the world one in which the Government ought to have been very careful about interfering. "Cæsar's wife ought to be above suspicion." The answers which have been given are not satisfactory or sufficient, and we ought not to wait for Papers, but, before another step is taken, or the honour of this country is compromised any further in this equivocal and apparently discreditable transaction, the whole subject ought to be made a matter of inquiry before this House.

\*(9.26.) MR. J. W. LOWTHER: I think that hon. Gentlemen have magnified the matter very considerably, certainly so far as the part which Her Majesty's Government have taken in the proceedings. Hon. Gentlemen have asked whether Mr. Talbot is a relative of the Prime Minister. I believe he is, but allow me to point out that the concession which has been referred to was obtained without the knowledge of Her Majesty's Government. Her Majesty's Government were not informed that it had been applied for, they knew nothing whatever about it, and therefore I do not exactly see the relevancy of that suggestion. The action of Her Majesty's Government in the matter of compensation was called for after the concession had been rescinded — not before. The Corporation proposed that the question of compensation should be referred to arbitration.

MR. PRITCHARD MORGAN (Merthyr Tydvil): Did the proposition for arbitration come from Her Majesty's Government?

\*MR. J. W. LOWTHER: No, it came from the Corporation. There was an Arbitration Clause in the agreement, but even assuming that there had not been, was it not a reasonable suggestion that the question of compensation should be a matter for arbitration? The Corporation admittedly had spent considerable sums of money on the faith of the concession by the Persian Government. They said they had spent no less than £139,000 or £140,000 in Persia; they had in addition purchased the concession for £300,000; they had also spent in salaries £55,000; and if hon. Members will add these figures together they will find they reach very nearly the sum of £500,000. I can only repeat that the proposal to refer the

whole matter to arbitration seemed to Her Majesty's Government to be decidedly reasonable, and they therefore supported it. I have been asked what were the reasons of the Persian Government for refusing to submit the matter to arbitration, but I am not in the counsels of that Government, and I am afraid I cannot answer the question. No statement was ever made by the Representative of the Persian Government about the reason for that refusal. It seemed to Her Majesty's Government to be a reasonable and proper way to arrive at compensation, but the Persian Government for reasons of their own preferred to make an offer of £500,000, taking over all the assets. The Corporation were anxious that the matter should be referred to arbitration, and that was a proposal which Her Majesty's Government supported. Thus it was that the arrangement was arrived at between the Corporation and the Persian Government—an arrangement for which Her Majesty's Government are in no way responsible. The Persian Government did not see their way to accept the proposal that the matter should be referred to arbitration, and therefore the terms of arbitration were not entered upon.

POLYNESIAN LABOUR IN QUEENSLAND.

\*(9.31) MR. SAMUEL SMITH (Flintshire): This is a question of some importance, and I shall move the reduction of the Colonial Office Vote by £500—

MR. CREMER (Shoreditch, Haggerston): I rise to a point of Order. I wish to ask the right hon. Gentleman for further information with regard to the subject we are now discussing. I should like to know whether I should be precluded from doing so, if the hon. Member (Mr. S. Smith) raises quite a distinct question.

THE CHAIRMAN: It would not be possible to go back to it.

MR. CREMER: I would ask then that my hon. Friend should give way.

\*MR. SMITH: I am willing to give way now if thereby I do not lose the right of speaking on this question. I am quite in the hands of the Chairman.

THE CHAIRMAN: It is not for me—it is for the hon. Member to decide for himself.

\*MR. SMITH: I think I must persist, and go on with my Amendment.

MR. TIMOTHY HEALY (Longford, N.): I submit that as no reduction has been moved on the general Vote—

THE CHAIRMAN: Order, order!

MR. SMITH: I have moved that the Vote be reduced by £500.

MR. HEALY: Is it in the power of one Member to shut out all other Members of the House—

THE CHAIRMAN: Order, order! It is for the hon. Member (Mr. S. Smith) to determine whether he should give way or not.

MR. HEALY: If the hon. Member does not give way, are all other Members to be prevented from calling attention to questions in which they are interested?

THE CHAIRMAN: Order, order! Mr. Smith.

\*MR. SMITH: This is a matter of very great importance to the public, and many questions have been put in this House with the view of eliciting information as to the policy of Her Majesty's Government with regard to it. I think it is the feeling of all who sit on this side of the House, and of many who sit on the other side, that the answers of Her Majesty's Government have been very unsatisfactory, and that the papers which were placed in the hands of Members this morning do nothing whatever to diminish the dissatisfaction which has been caused by the action of Her Majesty's Government in regard to this question. My intention now is to direct the attention of the Committee to the whole subject of the revival of the Polynesian labour traffic with Queensland. I hold that the Polynesian labour traffic for the last twenty years has been as cruel as the slave trade of Africa in the worst period of its existence, and I hope that I shall have the support of my hon. Friends in laying the matter before the country, and in pressing upon the Government to take a totally different action to that they have hitherto taken with reference to it. It will now be my

painful duty to refer to some of the disclosures which were made to the Royal Commission which sat in 1885. I will quote one or two paragraphs from the Report of that Commission, which will call the attention of the House to the characteristics of the trade, and which, I believe, are by no means absent at the present day.

"The love of home of those Islanders amounts to a passion, and the recruiting agents had to overcome dislike to practical exile by the assurance that they would not be absent for any length of time; whenever there was pronounced unwillingness on the part of the natives to go in the boats, or remain on the ships, they were too often impressed by threats."

The Commissioners go on to say—

"The Government agents seldom seem to have informed themselves by personal observation and inquiry that the voluntary recruits understood the nature of their engagements."

They further state—

"So far as we could discern, when the recruits were brought on board ship, the Government agents sometimes tied a piece of calico round their necks, sometimes they entered their names in the official logs; very rarely indeed did they take any trouble to learn whether the recruits really appreciated that they had entered into an engagement, or the purpose of it."

Now that was the general conclusion which was come to by the Commissioners, who made a most extensive inquiry into the whole question of engaging Pacific Islanders for this traffic. They decided that the system from root to branch was one of fraud and deception, that the natives were not voluntary agents, that they were totally ignorant of the purposes for which they were engaged; and that, in fact, they were virtually kidnapped. The Commissioners were directed to make inquiries with reference to six ships, and they spent thirty days in the investigation. They examined no less than 280 of the Polynesian labourers, and I will read from their Report what they say about the manner in which the recruits were obtained. The Commissioners state—

"Our opinion is that all the recruits brought by the 'Cobra' on this voyage were seduced on board by false pretences, that the nature of their engagements was never fully explained to them, that they had little or no comprehension of the nature of the work they had to perform, and that the period for which they agreed to come was in no single instance for three years."

Mr. S. Smith

They further say—

"Our opinion is that a system of deliberate fraud was practised in engaging all recruits during this voyage. . . . None believed they had agreed to remain in Queensland for three years."

I will not weary the Committee by reading other extracts. They are all to the same effect, but in the case of the "Hopeful" a much worse charge is made.

"The history of the cruise of the 'Hopeful' is one long record of deceit, cruel treachery, deliberate kidnapping, and cold-blooded murders. The number of human beings whose lives were sacrificed during the recruiting can never be accurately known."

Now the monsters who were engaged on the "Hopeful" were tried for these murders. They were found guilty, and were condemned to penal servitude. But what happened? A strong petition was got up in the colony asking that their punishment might be remitted, and after a few years' imprisonment the wretches were let loose. It was even proposed to give them a public dinner when they came out of prison; but this, however, was dropped. I have now an observation to make as to the mortality amongst these unfortunate islanders. From twenty to twenty-five per cent. of them died in one year. A gentleman who has been through the plantations of Queensland, and who had made close inquiries into the condition of the labourers there—Mr. Hume Nisbet—assured me that in the course of ten months the men were practically used up, and that they generally fell into consumption. If that is not a deplorable state of thing, I do not know what is. These men were taken to the plantations in good health, but the hospitals were soon crowded with them, and very few of them returned to their homes in a healthy state—the majority of them were sent back to die. I have one more fact to add to this tale of horror. In some cases, when they were sent back, they were landed on hostile islands, where they were killed and eaten by the savages, who were cannibals. That was the state of things for twenty years before the year 1885, and no one can rise up and say one word of apology for this abominable traffic. I have had an



opportunity of discussing this question with an old sailor, who explained to me the method of recruiting these labourers. He said that the chiefs at the islands were offered an old musket and ammunition for three slaves, which was the regular tariff. The islanders were then taken on board ship, where the Queensland agent asked them questions in English, of which they did not understand a word. Three fingers were then held up by him signifying that they were to be engaged for three years, but the men did not understand what it meant. Their names were then entered in the log-book, and the unhappy people were taken away to Queensland. That is how the abominable traffic was carried on. During the whole period up to 1885 most admirable regulations were in force on paper. No better regulations could have been made; and I believe that the provisions telegraphed to us the other day were substantially the same as the old regulations. All the vessels were provided with agents, who were to explain to the recruits the nature of the traffic. Yet, in spite of them, the islanders were kidnapped without the slightest idea that they were to be taken to the sugar plantations, or that they were engaged for more than three months. The consequence was that, parted from their wives and families for three years, their hearts broke, and they became miserable wrecks, being afterwards sent home to die. That is the plain, unvarnished story of what is called the Polynesian labour traffic for twenty years up to 1885. We have been told that since then all these things have come to an end, and that no abuses now exist. But it should be remembered that the trade is carried on under almost the same regulations as before 1885. I have paid a good deal of attention to this question for some years past, and I am well acquainted with the splendid work done by the New Hebrides Mission and its apostle, Dr. J. G. Paton, and I know that down to the present time these ships take away labourers from the islands—separating husbands from wives, wives from husbands, parents from children, children from parents, and that such things have been going on up to the present day.

Here is a letter from Dr. J. G. Paton, who has lived as noble a life as anyone since the days of the Apostle Paul, and who has done as much for the New Hebrides as Livingstone did for Africa. Writing to Sir Samuel Griffith, the Premier of Queensland, and speaking of the year 1890, when the traffic was suspended for about two years, he said—

"The minimum of the traffic evils in 1890 were appalling to all out of Queensland, and to some in it. Taking children from parents and parents from children, wives from husbands and husbands from wives, may appear to some a minimum evil in such a traffic, and all in the trade know that this is the common practice of every labour vessel to Queensland and all other places to which they are taken; and who knows how many were murdered in getting them away from their island homes."

He further says—

"Shortly before you closed the traffic one of our missionaries was requested by a number of men on his island to go with them to a labour vessel, which had got a considerable number of their wives on board, and had them confined to take away; but the captain and agent refused the application to give any of them up, and took them all away. The missionary was abused for pleading for them, and though one of the fathers held up his infant child, pleading for the mother to be given back to it or it would die, yet the slavers would not give the mother to the infant, or the infant to the mother."

THE UNDER SECRETARY OF STATE FOR THE COLONIES (Baron H. DE WORMS, Liverpool, East Toxteth): May I ask the hon. Gentleman what he is quoting from?

"MR. S. SMITH: The letter of Dr. Paton to the Premier of Queensland. I could quote similar letters, but I will only refer to two others. Admiral Erskine wrote in the *Times* the other day—

"Three years' experience in command of the Australian Squadron impressed upon me two important facts, viz., firstly, that even under the most stringent regulations wrongs and abuses occurred in connection with the labour traffic, which invariably led to bloodshed and accompanying complications and reprisals."

Admiral Scott, at present in command of the same squadron, when also applied to for his opinion on the subject of re-opening the trade this year, replied—

"I regret that it is proposed to introduce labour from the islands where there is no form of government to look after the interests of those who are recruited."

He goes on to say—

"The men engaged in the vessels and the recruiting agent should be wholly honourable and trustworthy men."

Then mark the next few words—

"It is a difficult matter to find men who are fit for such a service."

These are guarded words; but they contain a great deal when one reads between the lines. I agree with these two Admirals, that no means that can be applied would prevent these abuses. There is no practical difference between the present regulations and those which existed before. The labour agents, who have to see that the regulations are carried out, are mostly young men of roving dispositions—often failures at everything else—and they have to live for months together with the captain and the crew. It is not human nature that they should withstand the pressure which is brought to bear upon them to neglect, or, at least, to take a perfunctory view of their duties. Now, all that the labourers get for their work is £6 a year and their keep, and they used to have to wait till the end of three years before they were paid. This is the reason why the Queensland Government will not apply to India or China for labourers. The coolies of India and China would not work for £6 a year. The reason why the Kanakas go so quickly into consumption is not through the want of food, but chiefly because they are separated from their wives and families, and their hearts are broken. Their position is far worse than that of negroes, who are sturdy and accustomed to hard work. These Islanders, unlike the latter, are a soft race, unaccustomed to manual labour, and live in a primitive state on the fruit of the earth. Hard work kills them, and the traffic with Queensland was formerly the traffic of a slaughterhouse; it produced a far more rapid extinction of human beings than the slave trade of old. Some Members of the House may have seen a remarkable letter which appeared in the *Pall Mall Gazette* yesterday. It was written by Mr. Hume Nisbet, from whom I have already quoted, and who thoroughly understands this matter, having himself visited the islands in a labour vessel. He also travelled through Queensland a few years ago,

Mr. S. Smith

and has thus had opportunity of ascertaining the facts. I believe he is perfectly correct when he says—

"The past year's crammed hospitals, equally crammed graveyards, and human wrecks which are packed back to the islands to die after their three years of slavery are over, are conclusive enough proofs to anyone who has seen the plantations of Queensland that the Kanaka is as little suited to the work as the white man."

Now mark the following words:—

"I never yet saw a healthy South Sea Islander after his three years were up, although they mostly come to Queensland strong and healthy enough."

I say this is a terrible indictment, and the nation should be despised that allows such wrongs to go on without making a protest. I ask whether the people of Queensland are to be trusted with the absolute control of this helpless race? Has their past history shown them fitted? Is it not notorious, and does not the House know, that the aborigines used to be shot down like dogs, and were rooted out with ruthless ferocity, and that but few survive? Thousands have been murdered in cold blood, and who has heard of a white man being punished for the murder of a black man?

BARON H. DE WORMS: May I interrupt the hon. Member, and ask for the name of his informant?

\*MR. S. SMITH: Mr. Hume Nisbet gave me many of these particulars, and published a book of his travels.

BARON H. DE WORMS: What date?

\*MR. S. SMITH: He travelled in Queensland in 1886, and I believe the same facts have been stated in Rusden's *History of Australia*. I happen myself to have a friend who tried to employ a few of the aborigines, but the white labourers refused to work unless he dismissed them. That shows the feeling. We have been told that the sugar plantations cannot be cultivated for want of Polynesian labour; but, as I have said, coolies can be got from India and China. The Indian coolies would, however, have to be treated very differently, and the Chinese coolies know how to take care of themselves. These, however, require higher wages, and, therefore, they are not engaged. Unless we can stop this traffic of South Sea labour we shall see those

islands completely depopulated; indeed, many of them are already half depopulated. Just as the population of the West Indies faded away under the Spanish conquerors, so, too, will be the case of the Pacific Islanders unless some strong hand is put out to protect them. It lies especially on this country to engage in the sacred mission of protection. It is quite true we cannot interfere with self-governing Queensland; but we do exercise a protectorate over a great part of the Pacific, and surely we have a right to say that the Union Jack shall not be employed in the carrying out of a disguised form of slavery. Here we have just signed the Brussels Act against the slave trade, and yet we are going to allow our flag to float over a kind of slavery in the South Seas. I am told that interference with a self-governing colony is a difficult matter. I feel the force of that statement, and I think the Government have felt its force so overwhelmingly that their eyes are closed to everything else. But I see some considerations on the other side. We have been told that if we interfered with Queensland we should have all the Australian Colonies in revolt; but I am glad to read in the *Times* of to-day news from Melbourne that the Victorian Parliament has without a single dissentient passed a resolution condemning this traffic out and out, and calling upon the Government to put an end to it. I think we should have the approval of the great bulk of the Australian people in an endeavour to defeat this wretched policy. I am informed that in Brisbane and elsewhere many meetings have been held to protest against the revival of this Pacific labour traffic. In Brisbane I believe that public opinion is strongly opposed to it, and that all the Churches of Australia will aid us in putting it down if necessary. It is one of those cases in which we ought to grasp the nettle, for those interested in the traffic are only a mere handful—a few Queensland planters. I doubt if one per cent. of the Australian population have any direct interest in it. I say it is impossible for this nation to stand supinely by and allow the revival of a species of slavery. And here it is

worthy of remark that, after nearly quarreling with some European Powers on the question of slavery, we are going to allow in our own Colonies a veiled form of slavery. I believe the Government have dealt with this matter in a very feeble manner. I have read through the Blue Book, and I only find a single protest—a letter from Lord Knutsford. On the 3rd May he wrote—

"I observe that it is stated in the Press that the Act permitting the resumption of Polynesian immigration has been passed by both Houses of the Queensland Parliament, and has received your assent, and I trust that it contains complete provision for the protection of the natives, both during their conveyance to and from the colony, and when at work on the plantations, so as to prevent the recurrence of those regrettable abuses which were on some occasions perpetrated before the labour traffic was prohibited."

These are proper words, but they are feeble words. They amount to almost nothing, and no Colonial Government would be influenced by them. Surely you might have taken up a stronger stand against a traffic which a few years ago was execrated by all civilised Powers. I do not believe that the action of the Government is in harmony either with the wishes of this country or of Australia, and I hope this House will put a little backbone into the Ministry. If the Turks had been guilty of atrocities such as marked this traffic a few years ago the country would have rung with denunciation from one end to the other. I urge the Committee to show that the old hatred of oppression has not died out of England, and that we are worthy descendants of those who in former days struck the chains from the slaves. I beg, Sir, to move a reduction of £500.

Motion made, and Question proposed,

"That the Item of £7,000, for the Colonial Office, be reduced by £500."—(Mr. Samuel Smith.)

\*THE UNDER SECRETARY OF STATE FOR THE COLONIES (Baron H. de WORMS, Liverpool, East Toxteth): I am sure that all hon. Members who have listened to the speech of the hon. Member for Flintshire (Mr. S. Smith) will feel that he spoke from the bottom of his heart in condemning those atrocities which we, with him,

deplore. He was, however, not dealing with the present but with the past, and I venture to say that if such were not the case we should not this evening have to discuss this Bill passed by the Queensland Legislature. I claim for our brothers in the Colonies an equal amount of human feeling, an equal amount of civilisation, and equal detestation of wrong and oppression as we ourselves possess. I am sure that if one tithe of the atrocities recited by the hon. Member to-night had been or could be practised in Queensland at the present moment, the Queensland Legislature would not under any conditions whatever have sanctioned a resumption of the traffic. I interrupted the hon. Member and asked him who was his authority for the statement that a permit had once been granted by the Queensland Government for the killing of blacks, and, further, for the name of his informant with regard to the massacre, which he said had taken place, of ten thousand Kanakas.

MR. S. SMITH: Not Kanakas; aborigines of Queensland.

\*BARON H. DE WORMS: He gave me the name of Mr. Hume Nisbet, but I did not gather that Mr. Hume Nisbet gave to the hon. Gentleman the name of his informant. At all events, if he did, the hon. Gentleman did not communicate it to the House. These charges are too grave, too terrible, to be submitted to the House of Commons without the fullest proof that they are based on credible evidence. Considering the nature of them, we are entitled to ask for the fullest, most complete, and absolute evidence of the truth of the statements alleged. Without in the least degree desiring to disparage the hon. Gentleman, I must say that such evidence has not been given to us. Passing from that for a moment, I turn to another point the hon. Gentleman raised—namely, that the answers given by me with regard to this question were unsatisfactory. If that is so, I regret the circumstance very much, but at all events I gave to the House all the information at my command, and I gave the facts as supplied me by those who had the best opportunity of knowing them. If that information was insufficient I cannot but regret it. I cannot, however, agree

that the Blue Book presented to the House also contains but a meagre statement. Every document in our possession relating to the case as it now stands is embodied in this Blue Book. Neither do I understand how the hon. Member can say that we do not express ourselves sufficiently strongly to the Queensland Government in face of the despatch, a portion of which I will read to the Committee, written by the Secretary of State to Sir Henry Norman. On the 3rd May, Lord Knutsford said—

“I observe that it is stated in the Press that the Act permitting the resumption of Polynesian immigration has been passed by both Houses of the Queensland Parliament, and has received your assent, and I trust that it contains complete provision for the protection of the natives both during their conveyance to and from the colony and when at work on the plantations, so as to prevent the recurrence of those regrettable abuses which were on some occasions perpetrated before the labour traffic was prohibited.”

I want to know how the Secretary of State could say more in addressing a representation to the Ministry of a great self-governing Colony? He expresses his hope that these regulations would be ample, and I am bound to say, in view of the fact that since 1885 there have been but very few, if any, abuses—and later I will show this by facts and figures—that there was reason to be satisfied that, with the already stringent regulations now made still more stringent, these few abuses would cease altogether. The hon. Gentleman went on to say that the Victorian Parliament had passed a Resolution against the introduction of Kanakas into Queensland. I dealt with this subject in answer to a question put by him to-day, and I regret that he should have thought it necessary to again recur to it after that explanation. The Resolution of the Victorian Parliament was not directed specially against the importation of Kanakas into Queensland. It was a general Resolution against the importation of alien labour of whatever nature; and as I pointed out then, however important that Resolution might be, and whatever respect it was entitled to, it was impossible for Her Majesty's Government in dealing with a question so grave as the disallowance

*Baron H. de Worms*



of an Act passed by the Queensland Legislature to taken into consideration a Resolution passed by the Legislative Assembly of Victoria, not directed against native employment on humanitarian grounds, but against all foreign labour, coolie or native.

MR. S. SMITH: In place of being a totally different subject, it contains direct reference to the action of the Queensland Parliament in sanctioning the resumption of the importation of Kanaka labour.

\*BARON H. DE WORMS: I explained that the Resolution was directed against the general importation of alien labour. The Committee will, I hope, consider that I am not trespassing on their time and patience if, in dealing with this grave question, I first call their attention to the history of the traffic. The first batch of Islanders was brought to Brisbane in 1863. At first there were no Government regulations applied to the recruiting vessels, and as the trade, generally speaking, was in disreputable hands, great abuses occurred. A strong agitation sprang up in Queensland on the report of these abuses, and general indignation meetings were called. The result was that in 1868 an Act was passed by the Colonial Legislature which made provisions for the supply of food and medicine during the voyage, and for the appointment of Inspectors of the Polynesian labourers. Two inquiries were held into the working of the Act, the first in 1869 and the second in 1876; and the general conclusions were that the labourers were properly obtained and that they were willing to come to the Colony. In 1880 the Act of 1868 was repealed and another was substituted, which contained much more elaborate provision for the protection of the labourers, with power to the Governor in Council to make regulations for the due execution of the objects of the Act. In the same year, 1880, an inquiry was again made into the treatment of Polynesian labourers on the plantations, and the Government recognised the importance of hospital treatment. In 1884 an important set of regulations was framed amplifying and augmenting those contained in the Act. In 1885 an inquiry into the "Hopeful" and

other cases was held, which disclosed eight instances in which the vessels had committed gross abuses and violations of the Imperial Kidnapping Acts of 1872-5. These cases occurred just about the time of the enactment of a Queensland Statute, which enabled Polynesians to give evidence without taking the oath, as they did not understand the nature of such an obligation. In the same year, 1885, after the issue of the "Hopeful" Report, an Act was passed that no licences to introduce Polynesian labourers should be issued after the end of 1890. I have thought it right to give to the Committee this brief history of the labour question, because it goes far to show that the Government of Queensland, from the very beginning of the importation of Kanaka labour into Queensland in 1863, up to the terrible events of the "Hopeful" in 1884 and the subsequent inquiry, have endeavoured by every means in their power to so regulate the traffic as to prevent the possibility of atrocities which we are all united in condemning. Since 1885 there have been no cases of atrocities whatever.

MR. WINTERBOTHAM: It depends upon what you call atrocities.

\*BARON H. DE WORMS: More than that, the alteration of the law, that is to say, the rescinding of these licences, which came into force in 1890, was not caused in the main by the fact that atrocities had been committed, but for perfectly different reasons. I am prepared to show by the debates which took place in the Colonial Parliament on this Act of 1885, that there is little reference made to the "Hopeful" case, not because the speakers in any way palliated these atrocities, but simply because they found that the regulations then in force were sufficiently stringent. The principal arguments for this Act were based upon general objections to the introduction of any coloured labour into the Colony—an objection similar to the present Resolution of the Victorian Parliament—and the belief that the change would lead to the splitting up of large sugar estates into small estates, on which white labour could be employed. That view was shared by Sir Samuel Griffith. Sir Samuel Griffith is a man who has

earned a reputation as a statesman, and he thoroughly deserves it; and having come to the conclusion that Kanaka labour could again be introduced into Queensland, I think he must, first of all, have thoroughly convinced himself that the safeguards by which he intended to surround the new Act were adequate to prevent the recurrence of those terrible abuses. Now, the reasons given by Sir Samuel Griffith for passing the Act of 1885 were hardly based on the atrocities at all, but were these—first, because he considered that the system then in existence tended to encourage the creation of large landed estates, owned for the most part by absentees and worked by gang labour, and so to discourage actual settlement by small farmers working for themselves; secondly, because it led to field labour in tropical agriculture being looked down upon as degrading and unworthy of white races; and, thirdly, because the permanent existence of a large servile population, not admitted to the franchise, was not compatible with the freedom of political institutions in the colony. To these reasons was added, so far as Polynesian labour was concerned, the discredit that had been brought upon Queensland by the abuses that for some years prevailed in the South Sea Island trade. These were the reasons which led to the Act of 1885 and the abolition of licences to recruit after the expiration of 1890. But between 1885 and 1890 several causes arose which led to the introduction of the present Act, and I think it only right to give to the Committee a general statement of what those reasons were. In 1889 a Royal Commission in Queensland inquired into the causes of the depression of the sugar industry, and in the course of that inquiry included some questions relating to the importation of Polynesians. It was stated that the capital invested in that industry in the colony was £5,000,000; that in Mauritius sugar was grown by coolies whose wages were one shilling a day without rations; that in Java the cost of labour was sixpence a day, and in China probably less; and that in Fiji the coolies were paid one shilling per working day. Now, the hon. Gentleman stated that the

wages of the Polynesian labourers were only from £6 to £7 a year. He will, therefore, be surprised to hear that in Queensland the cost of a Polynesian labourer is sixteen shillings or seventeen shillings a week.

MR. S. SMITH: That includes his food.

\*BARON H. DE WORMS: The amount I have stated is the actual cost of the labourer.

MR. S. SMITH: Is it not the fact that £6 a year is all the amount paid in money?

\*BARON H. DE WORMS: That may be so. The Royal Commission recommended that Polynesian labour should be permitted, as otherwise the capital invested in the sugar industry would be wiped out of existence, and the whole population now dependent upon that industry for a livelihood would for a time be thrown out of employment. Annexed to the Report was a Return respecting the vessels engaged in the recruiting trade during the period 1886-1888, from which it appears that seventy-nine voyages were made in that time, and that only in one case had any irregularity occurred which was attributable to the crew. That was the case of the "Forest King," which was brought back at the request of the Government Agent owing to the insobriety of the crew and the want of control over them by the master. The inquiry, however, disclosed no outrage on the islanders. When, therefore, I stated that the hon. Member (Mr. S. Smith) appeared to have brought before the House certain cases which he had not proved by the ordinary rules of evidence, I think I have shown that I was justified in that statement. The hon. Member at the outset of his remarks said that the traffic during the last three years exhibited the very worst form of slavery.

MR. S. SMITH: No, not quite so. What I said was that the traffic of the last few years still retained many of the vices that belonged to former periods—not the more extreme and violent ones.

\*BARON H. DE WORMS: At all events, as far as the last three years are concerned, the hon. Gentleman cannot furnish the Committee with

*Baron H. de Worms*

one single authentic case of cruelty in reference to this importation of Polyne-  
sians, and as far as the preceding years  
are concerned, I have shown the hon.  
Member from official statistics that in  
seventy-nine voyages there was not a  
single case of cruelty reported. Sir  
Samuel Griffith has been accused of  
changing his policy in supporting the  
present Bill, and as having done so  
simply in the interests of the sugar  
planters. I think it is only fair to  
Sir Samuel Griffith that I should  
remind the Committee of what that  
gentleman's own reasons are, as given  
by himself, with regard to the present  
Bill. He said—

“Amongst the working population, whose  
interests I had perhaps too exclusively in  
view, there has arisen a body of men, claiming  
to be leaders of thought, who have by their  
speech and action rendered it impossible that  
the experiment of the employment of white  
labour in tropical agriculture should be fairly  
tried. There are not at present in Queens-  
land a sufficient number of Europeans able  
and willing to do the necessary work and to  
take the place of the Polyne-  
sians who are gradually leaving the colony, and of whom no  
more can be introduced under the existing laws.  
Yet every opposition has been offered to the  
introduction of any additional labour, the  
opinion has been promulgated that field labour  
in tropical agriculture is degrading, and the  
employment of white labour in that industry  
has been denounced except at rates of wages  
which the industry cannot pay. In short, these  
men will neither engage in the work themselves  
nor, so far as they can prevail, allow anyone  
else to do so.”

Under these circumstances the  
Prime Minister of Queensland felt  
that something must be done, and  
what did he do? He made more  
stringent regulations than those which  
had been sufficient to prevent any  
outrage from 1885 to the present  
time, and he felt that with these  
safeguards he could again import  
Polynesian labour; and having intro-  
duced it, he would be able once more to  
revive the sugar trade of the country,  
which was rapidly dying out. I say  
that with these safeguards, and pre-  
suming them to be sufficient, he was  
perfectly justified in the course he took.  
The hon. Member says it is the duty of  
Her Majesty's Government not to allow  
this Bill until they see whether or not  
the safeguards are sufficient. But  
does the hon. Gentleman know that  
the disallowance of this Bill would not  
prevent the traffic? Even if Her

Majesty's Government were prepared  
to take that extreme step—which they  
are not—the traffic would continue  
just as it does now.

An hon. MEMBER: No.

\*BARON H. DE WORMS: The hon.  
Gentleman says “No”; but I will ex-  
plain the position in a few words. It  
is expressly stated in the Pacific  
Islanders' Protection Acts, 1872,  
Section 8, and 1875 that compliance  
with the requirements of the Queens-  
land Statutes as regards the obtaining  
of licences to carry labourers from an  
island to a colony shall be sufficient.  
The issue of licences to “carry” in this  
sense has never been prohibited; and if  
no such licences were granted in  
Queensland they could, under the  
Imperial Acts, be applied for in any  
other Australasian colony. What the  
Act of 1885 did prospectively prohibit  
was the issue of licences to “introduce”  
Polyne-  
sians, and it will be seen from  
a perusal of the Act that a licence to  
“introduce” is not the licence  
granted to a master of a vessel to  
“carry,” but a licence to a planter to  
engage and bring from the vessel into  
the colony. This is, however, a matter  
of local concern. If Her Majesty's  
cruisers have no power to stop recruit-  
ing by Queensland vessels—and no such  
power would result from the disallow-  
ance of the Act—Her Majesty's  
Government could not, by taking such  
a step, prevent Polyne-  
sians from being  
taken into and employed in Queens-  
land. There would, it is true, be an  
Act on the Colonial Statute Book pro-  
hibiting such employment, but Her  
Majesty's Government could not secure  
its enforcement; and if the Colonial  
Government were driven to an atti-  
tude of defiance the only result might  
be that Polyne-  
sians would be employed  
without any restrictions on the planters.  
Therefore, the hon. Gentleman will see  
that, even if Her Majesty's Government  
were prepared to adopt the extreme  
measure suggested, they would not be  
able thereby to stop the introduction of  
Polynesian labour into Queensland; so  
that nothing would be gained except  
that they would have done something  
which, so far as I know, never has  
been done with respect to a large self-  
governing colony. I will now deal  
with one other question before I leave

this branch of the subject. The hon. Member has pictured what he alleges to be the terrible condition of the Kanakas; but I think I shall be able to show, on the best possible authority, that the informants of the hon. Gentleman have misled him. I do not say that they have done so wilfully; they may have considered that they were justified in making such statements, but I hope to satisfy the Committee that those statements are not based on facts. There have been cases of irregularities in the Western Pacific brought to light since 1885; but either, as in the case of Edmunds, who was recently charged with murder and kidnapping in the Solomon Islands, they have occurred on a vessel which was not licensed by or connected with Queensland; or, as in the cases of the Queensland labour vessels "Hector" and "Forest King," they were cases of drunkenness and insubordination amongst the crew. That such cases have been discovered and reported upon shows that Her Majesty's cruisers and the colonial authorities, including the High Commissioner for the Western Pacific, now watch carefully and efficiently the manner in which the traffic is conducted, and therefore strengthens the presumption that grave cases of violence have not occurred. Seven years have now elapsed since the Report on the "Hopeful" and other cases was issued; and during that time, up to and including part of 1891, the introduction of Polynesian labourers was vigorously prosecuted, there being a rapid increase after that date in the numbers imported. Thus in 1886, 1,505 were introduced; in 1887, 1,988; in 1888, 2,291; and in 1890, 2,459. These figures indicate the continual and growing demand for such labour and the impracticability of the idea which underlay the Act of 1885 that the sugar plantations can and will be worked by white labour. Now while there has been a steady increase in the number reported, there has been a sustained decrease in the number of deaths reported. Thus the deaths for the five years ending 1890 were given as follows:—1886, 573; 1887, 520; 1888, 482; 1889, 481; 1890, 417.

MR. PICTON (Leicester): Will the right hon. Gentleman give the numbers

amongst whom these deaths occurred so as to show the proportion?

\*BARON H. DE WORMS: Of course, there were a great many Kanakas in the colony at the time, but I cannot for the moment give the proportions.

DR. CLARK (Caithness): The figures are given in the Reports, and the proportions are about sixty to the thousand.

\*BARON H. DE WORMS: I especially want to meet the allegation that these people are dying by thousands. Between 1869 and 1889 23,700 Kanakas were returned to their homes on completion of their engagements. These would naturally explain to their neighbours the conditions of their life in Queensland. There is no general allegation that the islanders have been ill-used on the plantations. Public opinion would make itself promptly felt if cases of cruelty occurred, and there is always an influential party in the Colonial Parliament which is ready to inquire into and denounce any such cases. Large numbers of islanders return to Queensland and some have settled down there. Thus in North Rockhampton there is a colony of them, some of whom have married white women, have carts of their own, and compete with Europeans. At Bundaberg there are at least 300 who have engaged themselves for short periods. It is said that these people receive a miserable pittance for wages. In the Government Savings Bank there was a sum of £17,659 on 31st December, 1890, to the credit of 3,060 islanders. Considering that it is alleged that these people receive no more than £6 a year each, they must have been extraordinarily thrifty to have been able in so short a period to accumulate so large a sum. I think these facts and figures dispose of the principal allegations of the hon. Member for Flintshire (Mr. S. Smith). Towards the end of his speech the hon. Member quoted the views of a missionary, doubtless a very excellent man—Mr. Paton, and I think I shall only be doing my duty by showing that many of the statements of this gentleman are absolutely misleading and incorrect. The charges of Mr. Paton are so many in number, that I cannot deal with them all; but I will select one or two. In 1889 Mr.

*Baron H. de Worms*



Cowley, the Member of the Queensland Legislature for Herbert, and at present the Minister for Lands, made the following speech in his place in the Assembly:—

"In December, 1881, Mr. Paton published a long letter in the *Melbourne Argus*, which contained charges so grave that Captain Bridge, of Her Majesty's ship "Espiegle," was instructed by Sir Arthur Gordon to investigate them. Two of the principal charges, together with the official Report on them, are printed in the *Argus*."

This was one of Mr. Paton's charges—

"A labour vessel decoyed a Christian native teacher on board. Word was then sent to the young men and boys of the school that their teacher wanted to see them. So soon as one hundred were collected the vessel sailed away."

This was the official Report—

"A native teacher left by a native vessel, but he went voluntarily. He was not decoyed. Word was not sent to collect the scholars. None were entrapped. There was no such kidnapping incident."

Another of Mr. Paton's charges was—

"That two tribes that were fighting placed their women and children on a reef; that a labour vessel stole in, got the women and children into the boats, and sailed away, despite the firing of the men and the pleading of the women."

This was alleged to have occurred at Tanna. The official Report was as follows:—

"The Rev. Messrs. Watt and Neilson have been long on Tanna, and both say they never heard of any such thing occurring on that island."

Mr. Cowley, on the same occasion, further said—

"What do the people in our country say—the ministers of all denominations in our midst? I would refer to one man who has lived amongst the people of North Queensland, the Bishop of North Queensland. He has travelled through the whole North, not excepting the plantations. He has been among the islanders for days at a time, inspected their houses and food, and seen how they were treated. I know that his opinion is that those people are well looked after, and are benefited by being brought to this country. There is no doubt that there has not been any complaint from any minister of the Gospel of any denomination whatever, who has made it his duty to go among the islanders and see the way in which they are treated."

Again, the Annual Report of the Department of Pacific Island Immigration for 1889, in speaking of the mortality, stated—

"This has been of a normal character, and there has been no epidemic among the islanders."

The Report for 1890, the latest forwarded to this country, said—

"The death reports, I am pleased to state, show a decrease in the number of deaths year by year. The deaths for the past year have been of the usual character, there having been no disease of a special nature amongst the islanders."

To show that the Islanders are not averse to labouring on the plantations in Queensland, the following figures from the same Report for 1890 may be referred to:—New introductions, 2,577; re-agreements, 2,760. And it is added—

"This must, it is thought, convince impartial persons that there can be no 'slavery' in this form of service; otherwise the labourers would insist on their right to be returned to their islands instead of re-engaging for a further term."

The Right Rev. W. Saumarez Smith, Bishop of Sydney and Primate of Australia, has declared himself as not opposed to Kanaka labour under rigid supervision; and the Rev. Alexander C. Smith, the Convener of the Queensland Presbyterian Heathen Mission Committee, in a letter which appeared in the *Brisbane Courier* of 26th March, 1892, after speaking in warm terms of the condition of the Kanakas he had met with in his tours in the colony, continued—

"In conclusion, let me say I deeply regret, I deplore, that that protest (Mr. Paton's) has been made at all, and especially in the terms in which it has been couched. It is, as a whole, hasty, and, through defective knowledge, in many respects without foundation. It is calculated to wound and offend all right-thinking people, and grieve the hearts of most, if not all, Christian men and women in the colony. It is fitted to give a wrong impression of our whole colony as a Christian country throughout the world."

I think this testimony, coming from men of such eminence, is at least equal in weight and authority to that which the hon. Member has adduced. I do not like to weary the Committee, but I feel I have an important duty to perform, which is to vindicate not only the action of Her Majesty's Government, but also the honour of the Colony of Queensland, and I hope the Committee will bear with me while I read a quotation from

a letter written by Commander Heath, of the Royal Navy. This gentleman was Chairman of the Marine Board of Queensland, and being at the same time the officer in charge of the harbours and lighthouses, he annually visited the ports and rivers of the colony throughout its long sea-board; and the inspection of vessels licensed to carry Islanders is performed by officers attached to his Department, and acting under his orders. He says—

“Admiral Erskine seems to have forgotten the fact that when some doubts were felt as to whether the New Guinea natives who have been brought to Queensland in 1884 properly understood the length of time for which they had been engaged, Sir Samuel Griffith chartered a steamer, collected the whole of the remaining natives, and sent them home at the public expense, carefully landing each native at his own village. The Admiral seems, moreover, to be unaware that no natives from New Guinea have since been brought or proposed to be brought into Queensland. Since the year 1884, to which he refers, the whole system has been changed, and no person could have done more to put an end to all possible abuses previously connected with the importation of South Sea Islanders than Sir Samuel Griffith. The master or mate of any vessel against whom the slightest charge of drunkenness or other misconduct can be substantiated is prohibited from being again employed in the Service. The cubic space allowed to each passenger is the same as under the Imperial Passenger Acts. The dieting scale is ample, while the length of the voyage is only a few weeks—sometimes they are on board only a few days—while a representative of the Government is on board to see the regulations carried out, and that the natives understand their agreements. From the constant passage of Islanders to and fro they now know at which ports they are best treated, and at which plantations they are most comfortable, and they have also their favourite vessels by which they prefer to take their passage to Queensland. When on the plantations their hours of work and rates of pay are fixed by Act of Parliament or regulation, while their wages are paid through the Polynesian Inspector of the district, who is a Magistrate of standing, and who periodically visits the plantations to ascertain if the men have any complaints to make.”

This is the condition of slavery alluded to by the hon. Member, and this is the foundation of the terrible charge levelled against the Government of one of our Colonies, on the evidence of persons who are unable to give the names, dates, or position of their informants. It is on such flimsy evidence that Her Majesty's Govern-

ment are asked to disallow a Bill passed by a great self-governing colony. If the hon. Member had wished to find evidence the other way, a little research would have yielded some facts in favour of those he has so bitterly attacked. The hon. Member has quoted the evidence of ministers of religion. I do the same, and of men with better opportunities of judging than those to whom he has referred. I have shown from official sources that the statements made by the hon. Member are not founded on fact, and that they are disbelieved by those who have the best opportunity of judging whether they are true. I will only make one further quotation from a letter of a man whom everyone reveres, and who has spent his life in teaching and in doing good amongst the most barbarous races in the world—I refer to Bishop Selwyn, late Bishop of Melanesia. This man, who has passed his life in a great and good cause, has expressed in a letter, with much power and eloquence, his view that these statements are not founded on fact, and ought never to have been made. We cannot neglect the evidence of such a man.

An hon. MEMBER: Read his words.

\*BARON H. DE WORMS: I will read his words, and those words I should certainly say are not only those of experience, but of truth; and I trust that when we take into consideration the great facilities he has had for knowing, and his sacred mission, which certainly teaches him, as it teaches all men, to do unto others as they would that others should do unto them, you will agree that we cannot accuse him of being likely to excuse or conceal slavery in any form. We must take his evidence, perhaps, as the most weighty of any I have been able to give, and as proving that this whole system, bad as it was, terrible as it was years ago, has ceased to be bad and terrible now, and that the Queensland Government are justified in importing, under the safeguards which now exist, Kanaka labour for the purpose of promoting colonial industry. If we were to follow the argument of the hon. Member we should be debarred from employing negroes, because in the old days before Wilberforce they were slaves. But slaves were freed by

*Baron H. de Worms*

the voice of this House ; and in the case of Queensland, the humane and wise dispositions of the Colonial Legislature have freed the Kanaka traffic from the curse of slavery. I think, therefore, they have a right to import, under these safeguards, that labour which they consider necessary. I maintain that the hon. Member has in no way made out his case, and he has proved no infringement of the Rules and Regulations which the humane sympathies of the Queensland Government have passed for the protection of the Kanaka labourers. With these words of Bishop Selwyn I will conclude my remarks. He says:—

“ I cannot help feeling that the indiscriminate condemnation of the traffic that has been expressed is likely to do more harm than good. It was true of the traffic in its beginning ; it is not true of the traffic as it is now conducted.”

MR. WINTERBOTHAM: What is the date of that letter ?

\*BARON H. DE WORMS: The letter is published in the Blue Book just issued. It was written by Bishop Selwyn about a fortnight ago. He continues—

“ These restrictions if faithfully enforced would go far to remedy the abuses now existing, and with them I think the traffic might be worked to the benefit of the Islands and of Queensland.”

\*(11.5.) MR. JOHN ELLIS (Nottingham, Rushcliffe): The right hon. Gentleman has given us a most interesting *résumé* of the history of this matter, but I venture to say that the effect produced by his speech on the minds of many of those who listened to him must have been the same as it made on mine. Why should the Government of Queensland have found it necessary from time to time to make these regulations, to amend them and revise them ? Because the regulations have proved insufficient to remedy the abuses they were framed to meet. I think the right hon. Gentleman entirely misconceives the position of the whole matter. The presumption is against the recommencement of this traffic. The Blue Book I hold in my hand was the outcome of the Commission appointed in 1885, and was the result of a very careful inspection by a member of the Queensland land Legislature, a barrister at law and

a police magistrate in that country. The Blue Book teems with evidence as to the atrocities under the regulations that are in existence at this moment. The right hon. Gentleman cannot deny that what is stated in this Blue Book with reference to what took place in these five vessels happened under the existing regulations. Therefore it is for the Government to show why they did not disallow and prevent the renewal of this traffic ; the *onus probandi* lies with those who wish to revive the traffic. It is not sufficient for them to call on us who object to this revival to show that cases of the kind we allege have occurred. I admit that the evidence that there have been atrocities and enormities since 1885 is meagre, but I think we are entitled to complain very strongly of the action of Her Majesty's Government in not placing us in possession of information. The right hon. Gentleman has quoted very largely from a Blue Book which was issued to Members this morning, but we only got that Blue Book in consequence of a question which was addressed to the Government from this side of the House. We ought to have had earlier information laid before us. The right hon. Gentleman, in reply to a question this afternoon, gave me some figures with respect to the deaths among the Kanakas, but they were by no means complete, and it was very pertinently pointed out by the hon. Member for Leicester (Mr. Picton) that we not only want to know the number of deaths, but the number of people amongst whom those deaths arose, and on that subject the Blue Book contains no information. During the three years 1888, 1889, and 1890 the number of Islanders imported into Queensland was 6,782, and the number who returned to the islands was 3,849. The deaths reported were 1,380, but it is admitted that there were a large number of deaths which were unreported ; and that there are places where there is no Inspector, and where the deaths which occurred are not entered in these figures of 1,380. It is admitted on the other hand that 6,782 represents more than the number of persons to whom the number of deaths applies, and I think

anyone going through the figures carefully will find that the death rate in in the three years is something between seventy and a hundred per thousand. I venture to submit that that admitted fact, drawn from official sources, is a matter which requires further inquiry. I say, further, that if the right hon. Gentleman contends that no case of atrocity has occurred in recent times he cannot have studied the Blue Book. Page 39 of the Blue Book will reveal to him that there were many instances of firing from boats, and firing no doubt takes place on both sides. One outrage gives rise to another, and there is no doubt whatever that there is still going on a great deal that one must deplore. The right hon. Gentleman has read to us a number of letters from persons in Queensland; but I think they would have carried more weight if they had been from independent persons, instead of from persons who were to a certain extent implicated in the allegations that have been made. The letter from Bishop Selwyn is honoured with a place in the Blue Book. I will read a few lines from a letter from another Bishop, who has been in Australasia some years. Many of us knew him by reputation before he went out, and he is the son of that distinguished architect who erected this pile of buildings. I refer to Bishop Barry, a man of the highest honour and experience. The letter appeared in the *Guardian* newspaper of the 4th May, and is very pertinent to this matter. He says—

"It is with reluctance and pain that I find myself forced to make these quotations."

These are quotations from the Commission which was appointed in 1885.

"Let it be clearly understood that I have no doubt that the Queensland Parliament and Queensland Government fully intended to provide, and thought that they had provided, adequate safeguards against all cruelties in the labour traffic and all injustice and oppression on the plantations. But to make good laws is one thing; to enforce them under all the circumstances is altogether another. Certainly the history of the past shows the difference only too clearly. Accordingly I deeply regret the revival—I see by Sir S. Griffith's letter the reluctant revival on his part—of a traffic which I believe to be injurious in itself, and which is evidently so liable to abuse and atrocity. I have the

privilege of knowing Sir S. Griffith, and I have full confidence that, warned by this past experience—of which no one has spoken more indignantly than he himself—he will do his best now to mitigate or remove all abuses. But even if this can be done, I must repeat that I believe the whole traffic to be bad in its effect, and that I have grave fears as to the provision against abuse in the future. Therefore I have said that all must be done, here and in the Pacific itself, to see that the cause of humanity be sternly defended, and the hands of those who fight for it strengthened in every way."

I have only read one or two sentences from Bishop Barry's letter, but he is a man of the highest authority in everything that appertains to Australasia.

BARON H. DE WORMS: Bishop Barry lived in the Polynesian Islands.

\*MR. JOHN ELLIS: But he had to do with the Continent as well, and this is the direct testimony of a man who never allowed anything that affected Australasia to escape his notice while he was out there as Bishop. I set that authority to a certain extent against the other. The right hon. Gentleman passed very lightly over the remarkable testimony quoted by my hon. Friend (Mr. Smith) from Admiral Erskine and Admiral Scott. What authority at the present moment could be higher than that of Admiral Scott? Admiral Scott, writing with all the authority of his position, says—

"Before making any remarks on recruiting labour from the Pacific Islands, I would venture to observe that I regret it is proposed to introduce labour from countries that have no form of government to look after the interests of those who are recruited."

Again he says—

"Proper supervision of recruiting in the Islands appears to be a very difficult matter," and "It is a difficult matter to find men for such service."

The letter from a commander in the Royal Navy which was quoted by the right hon. Gentleman must give way in point of authority and in point of responsibility to such a letter as that from Admiral Scott. Therefore, the case has been established to this extent. The *onus probandi* lies on those who seek to revive this traffic. Then we are confronted with regulations, and told that they are amply sufficient; but the Agent General for Queensland, in a letter to the *Times*, has admitted that all the evils have taken place under

Mr. John Ellis



the regulations which are now in force. Why the Act of 1880, under which they are framed, occupies pages of the Blue Book just presented. They contain five parts, eleven Schedules and provisions without number, but they will be useless unless you have men who are determined to carry them out. In the letter of Bishop Selwyn quoted by the right hon. Gentleman, it is pointed out that further regulations are needed, and suggestions are made which really amount to another Revised Code. The Agent General for Queensland was so impressed by this letter in the *Guardian* of the 4th May that he at once sent it to the Government of Queensland and expressed the hope that they would adopt the suggested regulations if the traffic was to go on. Therefore, the Agent General admitted that the regulations might be improved to the extent the Bishop suggested, thereby admitting that even the revised regulations, of which we have heard so much, are inadequate. What is the reason given for re-opening this traffic? We find it put in a letter from Sir Henry Norman. The last lines in the opening letter in the Blue Book are—

"This, as your Lordship is aware, is a reversal of the policy adopted a few years ago, and will, I have no doubt, greatly help to revive the declining sugar industry of this Colony."

I venture to say that it is the old story. I doubt if this country or Queensland has any moral right to go to these islands in the manner proposed in order to develop any industry. There is too much trade about the matter, and I think we have a right to demand that the policy of the Government shall have less regard for the development of trade and more regard for the principles and dictates of humanity. I endorse the complaint of my hon. Friend as to the action of the Colonial Office in this matter. They show a great want of knowledge. Even the right hon. Gentleman seemed quite unaware of the Resolution passed by the Victorian Parliament, and suggested, when reminded of it, that it was on an entirely different matter.

BARON H. DE WORMS: The information I have come from official sources.

\*MR. JOHN ELLIS: Why did not the right hon. Gentleman give the words?

BARON H. DE WORMS: I gave it in the form of an answer. The hon. Gentleman is quoting from a newspaper; I am giving official information.

\*MR. JOHN ELLIS: Can the right hon. Gentleman give us the precise words of the Resolution? He has not read them to the Committee—he only gave the effect of them. I take it they are given correctly in the *Times*, and they relate specifically to this question. There has been great and unaccountable delay on the part of the Colonial Office in this matter. The letter from Sir H. Norman was received on 29th March, but the date of Lord Knutsford's despatch is 13th May, so that five weeks were allowed to elapse before he made any observations to the Queensland Government on the matter. That does not show very great anxiety, or any great sense on the part of the Colonial Office that the question is a vital and pressing one. When questions were asked in the House telegrams were sent out the next day. Why could they not have been sent out when the Government of Queensland pointed out that the whole policy was going to be reversed? The right hon. Gentleman suggests that the Government have no power in this matter. I will only call his attention to Lord Knutsford's suggestion in a telegram of 9th May, and Lord Knutsford said—

"I trust your Government will not object to a short delay before issuing licences under the new Act until I can receive and consider the measure and the safeguards with which it is doubtless surrounded."

Did Lord Knutsford receive any reply to that telegram? Have the Queensland Government complied with the suggestion contained in it? Because if the Colonial Office could do nothing it was hardly worth while to make the suggestion that the issue of licences should be suspended unless it had something behind it. This is not a matter for the Colony of Queensland alone—I will say nothing disrespectful about that great Colony—but, in the words of Admiral Erskine's letter—

"The honour of this country is concerned in seeing that these poor unhappy people receive the protection of this great Empire."

Our policy in the past is about to be reversed; the traffic is going to spring up again, under regulations which everybody says are insufficient.

**BARON H. DE WORMS:** The traffic never stopped.

**\*MR. JOHN ELLIS:** Well, the issue of licences was stopped in 1890.

**BARON H. DE WORMS:** The figures show that the traffic has not ceased.

**\*MR. JOHN ELLIS:** Licences were stopped and no new ones were issued. If not, what does Sir Henry Norman mean by the words—

“Your lordship is aware there is a reversal of the policy adopted a few years ago.”

The old licences are going to be re-issued, and Lord Knutsford asked that they should not be issued till he had further information. I am not in a position to say that Lord Knutsford ought to have disallowed the Act, but we have a right to demand that ample information shall be placed at the disposal of Lord Knutsford, and through him before Parliament, before the issue of new licences is permitted to proceed.

(11.23.) **MR. W. A. MCARTHUR** (Cornwall, Mid, St. Austell): Everybody must give the hon. Gentleman full credit for his stand against the continuation of this traffic, and while I find myself compelled to differ from him and from the hon. Member for Flintshire (Mr. S. Smith), I must ask to be believed when I say that I have no sympathy with any form of slavery, and detest as much as anyone the atrocities and abuses which took place in Queensland years ago. Undoubtedly up to 1885 there were abuses which were revealed by the Commission. It was conclusively shown that sufficient care had not been taken in the selection of agents on board the recruiting vessels, and that proper care in many cases had not been taken to explain to the Islanders the conditions under which they were to work, and the term for which they were engaged. The system of inspection was also very lax. But I say the rules themselves were good rules, and that there was nothing disgraceful in the traffic itself, provided you got the good rules carried out, and nothing which ought to prevent the Colony of Queensland engaging in it.

*Mr. John Ellis*

Even Lord Charles Scott is of that opinion, for in the last clause of his letter, on page 5 of the Blue Book, he says—

“The regulations approved by His Excellency the Governor of Queensland in Government Gazette of 18th April, 1884, appear to me to be such that if strictly carried out and enforced by Government agents on board labour vessels, they should insure the labour traffic being properly conducted.”

I might also commend to the attention of the Government another paragraph, No. 6, in Lord C. Scott's letter, the paragraph in which he suggests that it might be possible for the Queensland Government to establish a permanent station on those islands where recruiting is carried on, so that there might be an officer living on the spot who could explain to the Islanders the terms of their engagements. Sir S. Griffith feared that the French Government would intervene if we established a post of that kind, but it would be worth while for the Foreign Office to communicate with the French Government on the subject. The difficulties of control in this matter are immense, but I am not prepared to say that it is impossible that effective control should be established. I do not say that I like the traffic, or that it is one which, unless most carefully watched, is not likely to be greatly abused. But I would point out this, that the Government of Queensland is conducted by Sir S. Griffith, who at one time came to the conclusion that the regulations were not and could not be carried out; but Sir S. Griffith, with all the details before him, has changed his mind, and believes he could frame regulations under which it could be safely conducted, and that he could ensure effective supervision of the traffic. Sir S. Griffith is the last man in the world to make wild statements which he cannot substantiate. You have the Prime Minister of Queensland, who says he could control the traffic, the majority of the Queensland Parliament who approve of it, and the Government of Queensland also believes effective regulations can be framed. You have all these authorities in that great self-governing Colony, who believe that this traffic can

be carried on in a creditable manner. Are we in England, with none of their experience, going to say to the Ministry and Governor of Queensland, "We do not believe one word of anything you tell us. We are going to have our own way, and we do not care a straw what you think." All I can say is that if we are prepared to take that stand, I think it would be a very unfortunate day in the history of our relations with our great Southern self-governing Colonies. Surely, if we are to attach any importance at all to the opinion of public men in Queensland we are bound to take their word as the solemn assertion of their belief. Every single executive and popular authority in the Colony give their word that they can carry on this traffic without the disgraceful circumstances that accompanied it in times gone by. Do we, I say, refuse then, point blank, to take them at their word? Do we refuse our consent that this experiment should be made? If the anticipation of the public and responsible authorities in Queensland should not be realised, surely we can interfere at any time we choose. If we are able to bully Queensland, or any other Colony that passes legislation which we do not like, surely we can interfere next year as well as this year; and I say it is a very doubtful policy to stop this experiment on the very threshold. I absolutely agree that this traffic will want watching. I will myself call the attention of the Aborigines' Protection Society and other bodies to it; and I hope the Admiralty will also call the attention of the captains of our men-of-war vessels upon the Australian station to it, so that as far as they can they may ensure that this traffic will be properly carried on. I do not like the traffic at all itself; but neither do I like legislation directed against the popular authorities in the Colony of Queensland, especially legislation which would seem to be passed in what is very like a state of panic. Queensland is not a Crown colony. This is a colony which has a free Constitution; it is not bound to us by any very strong constitutional ties; and it is a serious thing, therefore, to reject and absolutely to refuse to assent to legislation which is practically unanimously

asked for by this great self-governing Colony. I do press upon Her Majesty's Government to represent to Queensland in the strongest possible manner the alarm that exists both in the House and in the country in consequence of what happened some years ago, and to urge upon them the necessity for the most strenuous control of this traffic. I do implore of this House of Commons, at all events at this juncture, not to put to shame their own professions with regard to the rights of self-governing Colonies by refusing what has been unanimously asked for by the people of Queensland. When we have got the assurance of the Prime Minister, of the Governor, and of every Public Body in Queensland, surely it is a hard thing to say to all these authorities that we do not believe a word they say; that we are opposed to giving them the chance of making this experiment, and that we set up our own experience against theirs.

\*(11.36.) MR. LAWRENCE (Liverpool, Abercromby): I think the House is indebted to the hon. Member for Flintshire for having introduced this question; but I think that, after having heard the speeches which have been made by other hon. Members, we may fairly say that this philanthropic bubble, if I may so term it, has largely been pricked. I have myself been long interested in this question, and have had some acquaintance with it through relations engaged in this nefarious slave-owning in Queensland. Having heard from the mouth of the hon. Member for Flintshire of the atrocities that have been committed, I thought I really ought to say something on behalf of those who are absent from this House. We have heard some very extraordinary statements this afternoon. The hon. Member for Nottingham complained that the evidence of recent atrocities was very meagre, and said he thought because the evidence was very meagre we should obtain some evidence anyhow and perhaps at any cost. I hold in my hand a paper—and I have only had it a few hours—signed by "W. Kinnaird Rose," dated 18th May, in which that gentleman says—

"I have drafted the Report of the Royal Commission of 1886, and I am bound to admit that not a word can be truly urged against the labour traffic of Queensland from 1886 to the present day."

This gentleman confesses that he drafted the very Report the hon. Member for Flintshire quoted from, and he affirms from his own knowledge that there is not that evidence which the hon. Member for Nottingham complains is so very meagre, and which at any cost ought to be obtained. The hon. Member for Flintshire and the hon. Member for Nottingham seem to have mistaken the motive of the Melbourne Legislative Assembly in passing the Resolution to which reference has been made. Everybody knows that the labour question is a burning question in the Colony, and the Melbourne Resolution is only a protest against any labour whatever of dark skins being imported into the Colony. When you read the Blue Book you will see that the Kanakas, after having served their time in apprenticeship, were so content with the country that they stayed there, and percolated into the adjoining Colony; and no doubt this Resolution was passed owing to the belief that this percolation was calculated ultimately to reach Melbourne. The hon. Member for Nottingham has adduced the authority of Bishop Barry, but is Bishop Barry to be put in the same category with Bishop Selwyn? As to the condition of these so-called slaves, the editor of a leading journal in Queensland states that ample evidence can be brought forward to show that they are in a fairly good state of health, and that a good many of them like their work so well that they remain in the country after their term is finished. He quotes the evidence of Mr. Lindt, F.R.G.S., on the subject. The Rev. Alexander Smith, the Convener of the Presbyterian Heathen Mission, declares that he found the hours of labour of the Kanakas very fair, and that he examined their food and found it plentiful. As to the alleged increased mortality amongst them, it is quite conceivable that it might be attributable to the fact that they eat too much meat, these islanders not being accustomed to animal food. Bishop

*Mr. Lawrence*

Selwyn's statement points to this conclusion. It is well known also that when the black man comes in contact with liquor he usually suffers considerably for it. The hon. Member for Nottingham (Mr. John Ellis) said that neither Queensland nor any other Colony should be allowed to introduce these people from the outside, that neither Queensland nor this country had any moral right to do so; but is he prepared to say that the rich fields of Queensland are to lie desolate merely because this moral right is denied to that Colony? Can the Government do anything to uphold their alleged moral right to prevent the Queenslanders doing what all really self-governing Colonies have a perfect right to do? When you consider that a vast area of this Queensland district can only be opened up by the help of this alien labour, it is for them to say whether they are willing that that alien labour should come within their borders, and, if they do so, to take care that there shall be no injustice in bringing them over. There is ample evidence that they come willingly; and I venture to think as years go on, and as immigrants return to their country with a knowledge of what is to be made in Queensland, assuredly there will be a greater influx every year of the islanders, because they will see the enormous benefits to be got there, and the wealth that is to be made there and carried home. For these reasons I think the House will do well to maintain the position which the Government have taken up. It is altogether preposterous that we should interfere with a Colony like Queensland; for once we venture to interfere with the local concerns of a great self-governing colony, so assuredly shall we create great ill-feeling and dissatisfaction.

(11.46.) MR. BRYCE (Aberdeen, S.): I do not wish to detain the Committee at any length, but I am rather anxious to call its attention to two questions raised by the Debate on the Motion of my hon. Friend the Member for Flintshire (Mr. S. Smith). The first of those two questions is the view that we ourselves take of the traffic, and the other question is whether we are to



comply with his suggestion and expect the Colonial Office to disallow this Act. It appears to me that my hon. Friend would make a very serious demand indeed, and I will go so far as to say a dangerous demand, if he were to ask the Colonial Office to disallow an Act of this character. We all know that for a great many years past the practice has been to hold the power of the Imperial Parliament to disallow an Act in reserve as a power only to be used in cases of very grave, urgent necessity. Can any hon. Friend, upon the information we now possess, which is admitted to be incomplete, say that any such case of grave, urgent necessity has arisen? I believe that we should give great offence not only to that important Colony of Queensland itself, but also to all the Australian Colonies, if we were to disallow an Act of this kind to pass through their Legislature. I do not believe that the Resolution of the Victorian Legislature was intended to suggest any such act on our part. Whether it was dictated by philanthropic motives, or whether the desire to prevent the pauper labour traffic from coming to them had something to do with it, I do not pretend to say. In any case we must be perfectly certain that had anyone risen in the Victorian Legislature, and said, "Would you like this to be stopped by the Act of the Imperial Government?" the Victorian Legislature would have unequivocally answered in the negative. I venture, therefore, to think that having regard to all the circumstances, and especially to the undesirability of interfering, except in extreme cases, we ought not to suggest the disallowance of this Act. But it is quite a different matter, as the Under Secretary for the Colonies has done, to endeavour to justify this matter through and through. I confess I think that the trouble that has arisen in this matter has very largely arisen, in the first place, from the somewhat airy and easy way in which the Colonial Office appear to treat the question; and, secondly, from the habit the Under Secretary has formed of rather overstating his case, and endeavouring to justify everything that is done. One would think, to listen to him, that this traffic was absolutely unexceptionable

and rather pleasant than otherwise. The most we can say, I think, is that it is a traffic for which there is something to be said, and which may possibly, under very stringent regulations, be prevented from doing harm. We have only to look at Queensland itself to see how much danger there is. Admiral Scott and Captain Davies evidently think that even the best regulations require the most watchful and constant care to prevent an abuse of the traffic. That is also the opinion of Bishop Selwyn, because, he says, very moderately, that these regulations, if they are enforced, will be sufficient, implying, I must say, that what powers there are are not very properly enforced. It is very clear, therefore, that we are justified in having a debate here, and pressing this matter on the Colonial Office, and perfectly justified in having these new Regulations laid before us, and having an opportunity of discussing them. I will add one word more. The right hon. Gentleman the Under Secretary referred to the Act of 1872. That was an Imperial Act, and, of course, all this traffic, so far as it is carried on outside the boundaries of Queensland—that is to say, so far as it is carried on in the islands and on the high seas—is carried on under the protection of the British flag. It is not a matter within the competence or jurisdiction of Queensland at all. There are two conclusions to be drawn from that observation. The first is that we have ample power, whenever we choose, to make any additional regulations; or, perhaps, what is more important, to take additional precautions, for the enforcement of the regulation which may be necessary. I hope that that fact which has now been brought before the House will be carefully considered by the Colonial Office, and that, if they see reason to believe that the resumption of the traffic is likely to lead to the revival of the old abuses, they will take care that the powers of the Act of 1872 are put very fully into force, and that all the Navy can do to watch over them shall be done. The other remark I make is this: We have also a responsibility. It is under the protection of the British flag that the trade is carried on, and it is therefore

no part of our duty to throw this matter entirely back upon Queensland. We are jointly responsible with Queensland. Queensland is responsible for what goes on within her territory; we are responsible for what goes on upon the high seas and in the islands; and we are therefore amply justified in raising this Debate, and in asking that the renewal of the licences should be subjected to the very severest scrutiny. At the same time, seeing that many of us feel the great difficulty of interfering with the powers of a colony, I hope my hon. Friend (Mr. S. Smith) will feel that his object has been sufficiently served by the Debate which has taken place, and will not think it necessary to proceed to a Division.

(11.52.) THE FIRST LORD OF THE TREASURY (Mr. A. J. BALFOUR, Manchester, E.): While I agree with many of the remarks of the hon. Member who has just spoken, I think he has done less than justice to my right hon. Friend (Baron H. de Worms), who, I am sure, takes quite as serious a view of this serious question as the hon. Gentleman himself or any Member of this House. It is a question of very great importance, and I think the hon. Gentleman opposite has done well to point out that it divides into the two branches which he has specified—namely, the question of how far we can or ought to interfere with an independent colony; and, secondly, how far this trade is or is not good in itself. We must all be agreed that interference with an independent colony is absolutely impossible. With regard to the traffic I agree, and so does my right hon. Friend, in asserting that, in so far as our direct responsibility is concerned—the responsibility which extends over the whole of the high seas, in distinction from the territorial waters—that is a very grave responsibility; and it is the duty of of the Colonial Office to watch very carefully that the interests of the native population are in no way injured. For the rest, my own impression is that this importation of labour is probably very important to the interests of the Colonies, but that it is a practice capable of very great abuse. Yet, at the same time, it is a practice which, by sufficiently

*Mr. Bryce*

guarded safeguards, and by rigid rules, rigidly enforced, may be carried on to the benefit of the islanders themselves. Under these circumstances, I can assure the House that the Government are fully alive to all the responsibility which this trade lays upon them; and I venture to think that the burning question of the relations between the Mother Country and the Colonies may well be avoided on the present occasion. I hope the Committee will not think it necessary to longer continue this Debate; and if we obtain this Vote to-night, I can assure the Committee that it will greatly facilitate Public Business.

Motion made, and Question proposed, "That the Chairman do report Progress, and ask leave to sit again."—*(Mr. Cuninghame Graham.)*

MR. A. J. BALFOUR: I hope the hon. Gentleman will not press that.

MR. CUNINGHAME GRAHAM (Lanark, N.W.): Yes, I am going to press it.

Question put.

The Committee divided:—Ayes 67; Noes 169.—(Div. List, No. 147.)

It being after Midnight, the Chairman left the Chair to make his report to the House.

Committee report Progress; to sit again To-morrow, at Two of the clock.

## CUSTOMS AND INLAND REVENUE BILL.

### COMMITTEE.

Considered in Committee.

(In the Committee.)

Clause 3.

\*MR. BARTLEY (Islington, N.): I beg to move, in page 2, line 9, after "(D)," to insert the words "except as under." I am sorry to inflict this Amendment upon the House at this late hour. I hoped that the Chancellor of the Exchequer would have been able to bring this subject on at an earlier hour. The point which I wish to raise is the old story of whether the Income Tax should be charged on industrial incomes at the same rate as on those incomes which are

derived from capital. It will be unnecessary for me to dwell at any length on the important difference there is between these two great classes of income. The Income Tax derived from the absolute labour and industry of individuals, and which die with those individuals, is altogether on a different basis from that derived from spontaneous sources—namely, the results of capital. But at the present time the two classes of income have to pay Income Tax at exactly the same rate. Let us look for a moment at the position of the two classes. A person with an income of, say, £200 a year, derived from spontaneous sources—from investments or shares—can spend every penny of that income without infringing the rules of proper order or care, or thrift, on the necessities of life, and need not put by anything for the future. But a man who has £200 a year dependent upon his own exertions—whether in a shop, a factory, or a profession—should not spend all that income. He must set apart something for life insurance and provide for possible sickness and loss of work, and to do this at least £30 must be taken from his precarious income. Therefore, we come to this result: That a man who earns £200 a year by his own industry must pay away about 15 per cent. of it to meet possible contingencies. It is manifestly unfair, then, to tax industrial incomes at precisely the same rate as those derived from capital. It, of course, may be said that a man may run the risk, and not insure his life, or provide for sickness; but it has been the great object of the Legislature in recent years to do everything possible to impress upon the people the importance of providing for such contingencies. It adds, however, very much to the difficulties of securing this whilst the tax is the same on these two classes of incomes. The proposal to make a differential rate in the Income Tax between industrial and spontaneous income is not a new one, and, indeed, I have been blamed on that ground. In 1842, when Sir Robert Peel introduced the new Income Tax, Lord Brougham moved a Resolution in the House of Lords to the effect that it was expedient to make a reduction or difference

between incomes arising from capital and incomes arising from labour, with the object of levying a smaller proportion on the latter. It was debated at great length by Lord Brougham in an able speech, and no argument was used against it. It was also debated at great length in this House, when Mr. Crawford moved to omit from Schedule D, professions and trades, employment, or avocation. This was supported by Lord John Russell and Mr. Hume. Thus I am merely carrying out the wishes and intentions of the great financiers of that day in the Resolution which I propose. I think the only reason why the principle was not adopted at that time was because it was always felt that this Income Tax was a temporary tax, and that, as it would not last very long, it was not worth while to make the alteration. There was also this reason—that the great bulk of securities were in Consols, the present enormous holdings of other stocks not then having developed. It was felt that if a reduction was made from the incomes of the industrial classes, it would be thrown largely upon the land, and as land was greatly interested, the alteration was not made upon that ground. I am sure the Chancellor of the Exchequer will admit that there is a great deal of difference between these two sources of income, and he must acknowledge that, in the interests of strict fairness, some change should be made. The objections he will raise, however, are, I think, three-fold. He will say, if we reduce the taxation on industrial incomes, that there are a great number of very rich men who receive incomes of that nature. But the Amendment I submit will not embrace those rich men, and therefore he will still have the gratification of taxing the rich men who draw industrial incomes. The Amendment simply deals with those having incomes of £400 per year and under. The second objection will be that it would be hard to tax the widows and persons of small means, who derive their incomes from spontaneous sources, while not taxing industry. But from the remarks which I have already made, I think it is clear that the widow with a small spontaneous income is

really better off than a married man with the same amount of industrial income for this reason—that her income is permanent while in the other case it fluctuates, and being derived entirely from industry is precarious, and would of course be lost to his family in case of death. Probably the real objection of the Chancellor of the Exchequer, as he will say, will be the difficulty involved in the change. The right hon. Gentleman the Member for Midlothian (Mr. W. E. Gladstone) once said that a reform of the Income Tax would involve a century of labour; and I believe the degree of trouble involved is the reason the Chancellor of the Exchequer does not go into the subject. I have been in a public office myself, and I know that the permanent officials do not like a revolutionary change in their Department; but if the change I propose is just and fair and reasonable, the difficulty of carrying it out should not be an insuperable objection. I feel certain that the difficulty has been exaggerated. We must remember that we have already five Schedules in the Income Tax Bill—Schedules A to E; and it is a remarkable thing that the differential doctrine is already recognised in the Schedules. Schedule B is charged differently to all the other Schedules, and what I propose is that Schedule D should also be charged at a different rate. The difference I have already pointed out is not, however, all, for Schedule B is not only charged in a different way from the other Schedules, but different charges are under that Schedule levied in different parts of the United Kingdom. England is charged 3d., Ireland and Scotland 2½d., while all the other Schedules are at the rate of 6d. Therefore it is shown that the system has been introduced and can be carried out. The Chancellor of the Exchequer may also say that part of the income in Schedule D is derived from capital. No doubt that is so; but the difficulty is one which can be got over either by each person stating and proving what amount of capital is in his business, or, as I think better, to allow the capital employed in industry in this country which is charged under Schedule D to

receive a lower rate of charge, in the way I have described. The last point I wish to bring before the House is the effect that this change would have on the present Budget. I am aware that the Chancellor of the Exchequer's surplus is not large; but I will show exactly what my proposal would do. The proposal is that under Schedule D all industrial incomes under £400 per year, instead of paying 6d., should only pay 3d., bearing the same rebate as before. What are the effects? There are 436,000 persons in the United Kingdom who pay under Schedule D, and 215,000 out of that number pay on incomes of less than £200 per annum, and 150,000 pay on incomes between £200 and £400. That is to say, that out of the whole number of persons, 436,000, who pay Income Tax upon this Schedule, more than three-quarters, 366,000, pay upon less than £400 per year. The whole amount they pay comes to £800,000 per year. Therefore, if my Amendment were carried it would mean a reduction in the Revenue of £400,000. I have no hesitation in saying that reduction should, without doubt, be added to the large spontaneous incomes, for these are the incomes that pay relatively and absolutely the smallest amount of taxation. I will acknowledge frankly that my ultimate view is to get rid of Schedule D altogether, because the removal of that Schedule would do away with a great deal of injustice and unpleasantness, dispense with those inquisitive forms we receive, and dispel the frauds perpetrated in connection with it by the public and the extortions that come from the Chancellor of the Exchequer. Talking about Schedule D, I only had the honour of receiving one of its papers a short time ago. It is a most formidable document, arranged as closely as it can be on four large foolscap pages, and I defy any human being to fill these forms up without probably incurring some serious penalty. It is such a form as only the best counsel in England could decipher and understand. My view is to get rid of this Schedule D altogether, because I believe the French system of simply levying Income Tax upon spontaneous income and securi-

*Mr. Bartley*



ties is better. I have not proposed to go so far, as I thought it advisable to have a small beginning in the direction of what I believe to be the right and ultimate solution of this difficulty. When we look at the circumstances of taxation, I say the bottom of the middle class is the most severely taxed portion of the community, although they are often not so well off as many of the artizan class. They are the people who are the backbone of our trade and commerce, and I think it would be right to make the incidence of taxation fairer and easier in their respect. All experience shows that is the direction in which amendment of the Income Tax should take; and I hope the Government will tell us definitely that they contemplate some change. I beg to move the Amendment.

Amendment proposed, in page 2, line 9, after "(D)," to insert the words "except as under."—(*Mr. Bartley.*)

Question proposed, "That those words be there inserted."

\*THE CHANCELLOR OF THE EX-CHEQUER (*Mr. Goschen*, *St. George's, Hanover Square*): I am sure that everyone will agree with the concluding portion of my hon. Friend's speech, in which he stated that the lower middle class, the poorer middle class, is that section of the community particularly deserving of the attention of this House. That is a view which I have held, and some of my own recommendations have been in the direction of somewhat relieving the heavy burden of that class. Let us see precisely how we stand. The Amendment of my hon. Friend would only benefit those having incomes of £400 or under. A person with such an income would have the usual rebate on £120 and a rebate of threepence on the remainder, while those immediately above that amount would pay the whole tax without any rebate. To use a phrase occasionally employed in this connection, the jump would be very great. If my hon. Friend contends that this might be remedied, I must remind him that we are not now dealing with an abstract Resolution. My hon. Friend has moved a particular Amendment in a particular Bill. I must ask the Committee to examine the nature of that

Amendment, and I think I can conclusively prove that it will be extremely difficult for hon. Members who wish to see justice done in taxation to vote for it. My hon. Friend has spoken as if all the income of those who earn less than £400, and are assessed under Schedule D, is derived from their own exertions. That is not the case. A portion of it must come from capital employed. Let me point out that my hon. Friend in his specific Amendment deals only with Schedule D, and not with Schedule E. He proposes that a clerk who pays under Schedule D is to be relieved, but the one who pays under Schedule E is not to be relieved. Now, those who pay under Schedule E are persons in the service of the State or of a municipal body, or of any body corporate of any kind, such as a Joint Stock Bank, and if my hon. Friend's Amendment were passed, these persons would continue to pay sixpence, while clerks in the service of a private bank or tradesmen who might have £3,000 or £4,000 in their business would pay only threepence. I would ask the Committee, Can you possibly assent to such a proposal as that? Again, while the clergy belonging to any ecclesiastical body, such as the Wesleyans or the Church of England, would continue to pay sixpence, those who receive their stipends from congregations would only pay threepence. I think I have pointed out to the Committee most serious reasons why we cannot accept this Amendment. But, says my hon. Friend, will you extend the proposal to Schedule E? In that case his estimate of loss would have to be increased very largely indeed. Again, under the Amendment, shareholders in railways would pay only threepence, while holders of Consols or of foreign Government stocks would continue to pay sixpence. Is that contemplated by my hon. Friend? His Amendment would tax the whole railway property of the United Kingdom, when held by persons with incomes under £400, at 3d. instead of at 6d. If it were passed a man who put, say, £4,000 in North Western Railway Stock or debentures would pay only threepence, whereas if he invested the money in Consols he would be obliged to pay as much again. The Committee will accord-

ingly see the dilemma in which my hon. Friend is placed. And, again, he fell into a grave error as to the number of people affected. He puts his estimate of the separate assessments under Schedule D at 436,000 persons, but this does not include the vast number of shareholders in companies, who are assessed under that Schedule, and therefore the hon. Member must add to his estimate of the loss which would accrue the difference which his proposal would make in the sum paid by many of the shareholders in the various companies. I cannot conceive that he has thought this matter out. My hon. Friend went very far when he said he thought all capital engaged in the industry of the country should be relieved of payment altogether. There is a great deal of spontaneous income derived from capital employed in commerce under Schedule D, and I think you would exempt the very persons it is desired to tax. How can you separate in a tradesman's business what represents income from his capital and what represents the efforts of his own industry? The effect of the Amendment would be, that the tradesman with £3,000 or £4,000 capital, which he could leave to his family, would pay threepence on the earnings of that capital, while the half-pay officer or the telegraph clerk would pay sixpence on his precarious income. The hon. Member has said that the alteration proposed in his Amendment would involve a loss of £400,000, but the estimate of the Inland Revenue officials is that the loss would be nearer a million. Am I to be asked at this stage of the Session and at this stage of Parliament to find an additional million and to re-construct the whole of the Income Tax?—because I think I have said enough to show the Committee that you could not effect only the one alteration my hon. Friend suggests. I would not be responsible for the working of an Act which would relieve a person assessed under Schedule D, and at the same time leave so many persons exactly in the same position without relief.

(12.42.) SIR W. HARCOURT (Derby): I do not think—if there is to be a Division taken on this subject—that we shall have to determine the

question whether or not there shall be further abatement on the Income Tax in the lower scale. That is a subject which has to be considered. Everyone must feel that the Income Tax is one of the main pillars of the revenue of the country, and that you cannot make alterations in it without very careful consideration of all matters of detail. It is quite plain that at a quarter to one in the morning, at this period of the Session, the House is quite incapable of entering upon such a discussion as it should do before deciding upon any alteration. The Chancellor of the Exchequer has shown how complicated the question is, and how many difficulties surround it in every form. One argument used by the right hon. Gentleman is, to my mind, conclusive, namely—Is it right and fair at this stage of the Session, and at this period of the Parliament, to create a deficit of one million and to impose upon the Government the duty of bringing in practically a new Budget, because if you are going to get rid of a million by this Amendment you must find the money elsewhere. It seems to me that the proposal is one which it is quite impossible to adopt under the present circumstances, and therefore I shall certainly support the Government in opposing this Amendment.

\*SIR J. COLOMB (Tower Hamlets, Bow, &c.): I desire to express my sympathy with the Motion of my hon. Friend (Mr. Bartley), but I quite see from the facts which the Chancellor of the Exchequer has stated that it is practically impossible to carry it into effect at this stage of the Session. I trust, however, that the Chancellor of the Exchequer in the next Parliament will see his way to deal with the matter in a satisfactory manner, because it is just, and I believe there is a general feeling throughout the country in its favour. I will only say this—that I think there are imperfections which might at once be corrected without those vast complications arising to which the right hon. Gentleman has alluded. For instance, it is well worthy of consideration whether it is necessary to call upon these small incomes to pay this enormous tax, for so it is, in one lump sum. I do not see

why the amount might not be divided and paid quarterly. This would give some relief, and would not, I think, cause the Chancellor of the Exchequer much difficulty. I entirely assent to the views expressed by my hon. Friend (Mr. Bartley), and I trust that in the next Parliament the Chancellor of the Exchequer will be able to deal with this question in a thoroughly satisfactory manner.

\*(12.46.) MR. BARTLEY: For one moment I may be allowed a word of explanation. I have brought this matter forward on many occasions, both in Committee and in the form of a Resolution, and I have been told that it was not a convenient opportunity, and that it would take a hundred years to bring about the change I proposed. Now, when I have brought the subject forward in this form, again I am told it is inconvenient, and this has been the manner in which the subject has been treated for the past fifty years. I am told my figures are wrong, but all I can say is that they are taken from Returns furnished by the Treasury and from the edition of 1890, and the Treasury is responsible for the inaccuracy, not I.

MR. GÖSCHEN: The hon. Member will surely see that my explanation was to show not that the figures were wrong, but that the hon. Member had not taken into account the distinction between the assessment of a company and the assessment of individual shareholders.

\*MR. BARTLEY: I quite understand; but when I take another form of Income Tax the right hon. Gentleman says the incomes derived from Railway Companies come under Schedule D. If so, the fact is concealed in an extraordinary way. I do not see how such incomes can be included. All that the right hon. Gentleman has said goes to prove the immense difficulty of the subject, and the importance of having a Committee to examine it, as I have urged and moved for year after year. The matter should be carefully gone into. The right hon. Gentleman has referred to the clergy, and clerks in the post offices and other classes. I purposely left them out for the present, and confined my Amendment to one Schedule, that the Chancellor of the

Exchequer might not accuse me of mixing up the Schedules. He has met me again with the old argument about complications. The discussion has shown the importance of the subject, and if I am lucky enough to get anybody to tell with me I shall go to a Division.

(12.50.) MR. TIMOTHY HEALY (Longford, N.): I would make an appeal to the hon. Gentleman not to waste the time of the House. It was terrible to see the state into which the hon. Gentleman worked himself to-night. It is true, he addressed himself to the interest of that class to whom he is about to make an appeal for re-election; but I trust his zeal will not lead him to abate in the least degree his well-known loyalty to the Government. Is there no one to warn him in familiar tones of the danger to the integrity of the Empire? I hope he will not put the House to the trouble of a Division. Very painful is it also to see him assisted in his revolt by that staunch supporter of the Government, the hon. Member for Bow (Sir John Colomb). Really it is a most painful thing, at this period of the Session, to see a loyal Conservative Gentleman about to go to his constituents in a few weeks' time for the purpose of telling them that he has done his best for them, keeping up Ministers to this hour. Surely there are other subjects that hon. Gentlemen might go to their constituents upon? That noble subject, the "unity of the Empire," ought to be sufficient for the purpose.

DR. CLARK (Caithness): I congratulate the hon. Gentleman (Mr. Bartley) upon the movement he has made in this matter, and I must say that neither the Chancellor of the Exchequer nor the ex-Chancellor has at all touched the principle of the proposal. This is a question which excites a good deal of feeling in the country, which may have an effect on the General Election. I trust the hon. Member will go to a Division. The suggestion of the hon. Member for a differential Income Tax on earned and unearned incomes is a good one, only I think he does not go far enough. It should be a shilling in the pound on all incomes above £5,000. I do not know whether the right hon.

Gentleman the Member for West Birmingham intends to support the hon. Member, but I remember that at one time he was a supporter of the principle. There are, I have no doubt, a great number of people whose votes depend on the manner in which this subject is treated. The subject has not been seriously treated to-night; neither the Chancellor nor the ex-Chancellor has said anything against the principle. I hope the hon. Member will take a Division, and will get such support as will compel recognition of the importance of the subject.

MR. SYDNEY BUXTON (Tower Hamlets, Poplar): The decision to be taken will not in any way have reference to the principle of differential taxation, or whether the Income Tax should be heavier on incomes from capital than from industry. The proposal of the hon. Member does not involve that principle.

MR. BARTLEY: Yes, it does.

MR. SYDNEY BUXTON: It simply proposes one small alteration in the incidence of Income Tax, and upon that I think the Chancellor of the Exchequer has shown the present position will not be improved, and that, indeed, the inequality will probably be increased. I think that the hon. Gentleman himself, in his interjected remarks to the Chancellor of the Exchequer, showed that he has not quite grasped the position, for when the right hon. Gentleman mentioned a number of incomes under £400 which the hon. Member had not taken into account, the hon. Member said, "Very well, make it £500." And, again, when the Chancellor of the Exchequer mentioned Schedule E, he said, "Well, let us extend it to Schedule E." What we want is a Committee to examine carefully the whole question of the incidence of the Income Tax. If hon. Gentlemen would support such a proposal, then we might arrive at some proper conclusion upon a scheme of differential taxation on permanent and precarious incomes.

Question put.

(1.0.) The Committee divided:—  
Ayes 35; Noes 110.—(Div. List, No. 148.)

Clause agreed to.

*Dr. Clark*

Clause 4.

\*MR. THOMAS H. BOLTON (St. Pancras, N.): The Amendment I have to propose has not so sweeping an effect as the Amendment of my hon. Friend (Mr. Bartley) would have had, and it would not, if accepted, very seriously disarrange the Chancellor of the Exchequer's Budget. At this hour I do not intend to inflict upon the House anything in the nature of a speech. I will merely say a few words in explanation of my Amendment. The House is aware that, while the rates are levied on the net income from property, and while Income Tax generally derived from earnings and personalty is levied on actual net income, yet for the purpose of Income Tax on land and houses the gross rental of property is assessed. This may, of course, be defended to a certain extent, and may not be so very objectionable on large and valuable property, but it presses very heavily indeed on smaller property throughout the country. We have been passing Acts for the purpose of encouraging the building of dwellings for the working classes; we are to advance money at a cheap rate of interest for the purpose of encouraging the provision of small holdings for the labouring population; and there are Acts of Parliament that by sanctioning the system of compounding—that is to say, of arrangement between the Local Authorities and the landlords to fix a certain rate of assessment for small properties—encourage the maintenance of this class of dwellings. The principle of the Income Tax, I apprehend, is to charge the actual product, the actual income, or the actual profits derived; but that principle is altogether violated by the way in which Income Tax is charged on the gross and not on the net clear income from property. I am quite aware this opens up questions of a larger character, and I know that it will be said that while landed and house property enjoys certain immunities from taxation, it is inflicted with a heavier tax in another direction; but I do not see there is any justification for inflicting a practical injustice upon certain people in connection with the taxation they have



to pay. It is no satisfaction to a man who pays more than he ought to know that there are others who pay less in respect to other property. The proposition I make is not a large one. It will not affect very large interests, but I believe I have—I hope I have—the sympathy of Members on both sides of the House in the desire to see all taxation levied on actual income, not on supposed income, and I make this suggestion with reference to this particular grievance in the confident hope that it will receive considerable encouragement. This is an actual grievance. I can tell the Chancellor of the Exchequer of cases in which the income derived from small house property is but half what it is assessed at for purposes of the Income Tax. I could give the Chancellor of the Exchequer a case in which a number of large old timber cottages, which are very comfortable and convenient for the people who live in them, but very expensive to keep up, are rated at less than half what they are assessed at for the purposes of the Income Tax, and the rating fairly represents what they actually produce to the owner. I do not refer to exceptional cases; you may find them all over the country in rural districts, and very largely in Scotland and Ireland, where the property is assessed for Income Tax in many cases at double what it is for rating purposes. There is no reason or justification for this. This is a grievance generally admitted, but probably it is felt most keenly in agricultural districts. I hope the Chancellor of the Exchequer, if he is not prepared to accept my Amendment, will, at all events, give us some expression of opinion that may lead to the belief that at no very distant time the substantial injustice to which I am calling attention will be removed.

**Amendment proposed,**

In page 2, line 28, at end, insert—"Except as to any property of less annual value than twenty pounds, or which is compounded for by the owner for the payment of rates, and in every such case the sum charged as the rateable value shall be taken as the annual value for Income Tax assessment."—(*Mr. Thomas H. Bolton.*)

**Question proposed,** "That those words be there inserted."

\*(1.12.) **MR. GOSCHEN :** The proposal of the hon. Member is to charge a lower rate of Income Tax on cottage property; that it shall be charged upon the rateable value instead of on the gross. It is a very large question, and I am quite certain that if the proposal had been made from this side it would have been denounced as one of the crimes committed by the Chancellor of the Exchequer in relief of owners of property. It is a proposal to relieve owners of property from a portion of the taxation they now pay. The hon. Member says there is an anomaly in charging the tax upon more than the actual receipts, and I have always acknowledged there is force in the argument that the tax ought to be levied on the actual receipts, and that the time may come when it will be possible to lay this taxation on the net and not on the gross receipts, and that as regards all property, not cottage property only. But it has always been held that such a measure would have to be considered side by side with other measures affecting real property. The point raised by the hon. Member is one well worthy of consideration, but I am not prepared to deal with it in a piecemeal manner. The hon. Member is fully entitled to call attention to the matter, but I hope he will not now consider it necessary to press it.

**MR. ARTHUR O'CONNOR** (Donegal, E.): If I am right in my appreciation of the right hon. Gentleman's observations, they come to this: That he does not dispute the general position taken up by the hon. Member, but he rather regrets that he himself did not make the proposal. He said that if he had made it he would have met with much criticism and opposition from this side of the House; but he admits the general force of the argument urged against the injustice of assessing a man on a nominal amount while he receives in reality a much smaller amount. The force of the argument will be clear to everybody, but I am inclined to think that we who sit in this part of the House are specially concerned with the present Amendment from the point of view of some Irish farmers assessed under Schedule B. It seems to me that the

Chancellor of the Exchequer has not considered the matter from that point of view, and while admitting the force of the general argument, has declined to discuss it. But I submit if the proposal does contain some grain of truth or reason, the Government ought to enter into the discussion with the object of doing justice to all classes of taxpayers. Unquestionably injustice is done to many small owners in the rural districts of the country; and, no doubt, this proposed Amendment will attract within the next few days a considerable amount of attention. The right hon. Gentleman has not urged one single solid argument against the hon. Member; but we are not so much concerned from his point of view—we are concerned for the Irish farmers to whom I have alluded, in so far as they are affected by this proposal; and we have good ground for asking the Chancellor of the Exchequer whether he is prepared to maintain his untenable position, or to make some concession which may appear insignificant to the Chancellor of the Exchequer; but which, to many ratepayers, is a substantial matter, and in regard to which many of us will be interrogated before many days have passed.

\*MR. BARTLEY: It is four years since I brought forward a very similar Amendment to this, argued it in the same way as a grievance, and received on that occasion exactly the same answer from the Chancellor of the Exchequer. I must say it does seem to me hard that a grievance admitted to exist amongst a large class should be postponed, and should not be considered until some grand system of reform for everybody comes into play. We heard from the right hon. Gentleman the Member for Midlothian that it would take a hundred years to carry out complete reform, but I think the time has come when the House should press the Government to take this matter in hand, and it is a matter too important to be taken at a late hour like this, when Members are impatient.

MR. TIMOTHY HEALY: The doctrine of the Chancellor of the Exchequer seems to be quite out of harmony with the doctrine of the First Lord of the Treasury. The doctrine of the latter is that it is the landlord who pays the

rates and taxes ultimately, wherever there is a revision of rent, and that is the doctrine of the Local Government Bill. What then is the use of talking of the relief of the occupier?

Question put.

(1.20.) The Committee divided:—  
Ayes 24; Noes 97.—(Div. List, No. 149.)

MR. HEALY: I have a request to make on behalf of a small but deserving class of Her Majesty's subjects—namely, Members of Parliament, and I would ask, seeing that they have to spend a considerable portion of their time here in London, whether it would not be fair that they should be allowed to deduct from the Schedule, or whatever it is called, the amount of expenses incurred—

THE CHAIRMAN: Order, order! This has nothing to do with Clause 4.

Clause agreed to.

Clause 5 agreed to.

(1.34.) MR. HEALY: I wish to raise the question seriously. We have been endeavouring to deal with large questions all the evening, and the Chancellor of the Exchequer has made that a ground of objection. This is a small question as it may seem to Her Majesty's Government, but it is not unimportant to some of us who consume a great deal of time and take considerable trouble in the discharge of our duties as Members of this House; and I ask would it not be fair that our expenses on this account should be deducted from the amount of our small incomes upon which this tax is levied? The Attorney General laughs, and with £8,000 a year he can do so; but I really do not see why, if we have to leave our homes and attend here in London at the expense of £200 or £300 a year, we should not be allowed to deduct the expenses thus incurred. It may be that there are some Members who would be too proud to avail themselves of such a provision. I am not one of those. We have been engaged in altruistic propositions in favour of other people, and it is right we should look after ourselves. I therefore move this as a new clause.

*Mr. Arthur O'Connor*

New Clause—(Deductions by Members of Parliament)—brought up, and read a first time.

Motion made, and Question proposed, "That the Clause be read a second time."

\*MR. GOSCHEN: I am unable to gather from the title what the proposal is—

MR. HEALY: I should have explained that the clause proposes that in the assessment of incomes of Members of Parliament a deduction of £300 a year shall be allowed in respect of expenses in connection with attendance on the House.

\*MR. GOSCHEN: It is a matter of some importance, and I do not wish to treat it lightly. We ought to have had it with due notice by having the proposal clearly laid before us. So far as I am concerned, the proposal is a new one, and I think it really forms part of the question of payment to Members, and should be considered in relation to that subject. There are various matters that present themselves in relation to the position and privileges of Members of this House. I know that in some parts of the world free passes on railways are one of the privileges of the position. But I hope the hon. Member will not press his proposal at this time, for none of us has had the opportunity of considering it.

MR. HEALY: The right hon. Gentleman has spoken of the privileges of Members and of free railway passes. It is all very well for Members resident in London who can take a hansom cab to Portland Place to dismiss the question of expenses lightly, but it costs some of us a five pound note every time we return home. I do not think the right hon. Gentleman is justified in his sneer at free passes—

\*MR. GOSCHEN: I really meant to treat the matter seriously; I intended no sneer. I merely alluded to the privileges attaching to the position of Members. I assure the hon. Gentleman I wish to treat his proposal with all respect.

MR. HEALY: I accept the right hon. Gentleman's explanation, though in the light of the explanation the remark as to railway passes is wholly unintelligible. I allow that it is a fair objection that I have not put notice of my Amendment on the Paper; it was my intention to do so. I do not esteem it a privilege to spend £200 or £300 a year in London. There may be Members who regard the position from quite another point of view, but remember we have to attend here not for our own convenience at considerable expense. We should be satisfied if we could transact our Parliamentary business in Dublin. I will not now put the House to further trouble in regard to the proposal, but I shall certainly raise it on another occasion. It is not concerned with the payment of Members.

Question put, and negatived.

Bill reported, without Amendment; to be read the third time To-morrow, at Two of the clock.

#### NATIONAL DEBT [CONVERSION OF EXCHEQUER BONDS].

Considered in Committee.

(In the Committee.)

Motion made, and Question proposed,

"That, for the purpose of the conversion of the securities held by the National Debt Commissioners on account of advances made by them under the provisions of the 'National Debt Redemption Act, 1889,' it is expedient to authorise (a) the creation of a charge upon the Consolidated Fund in favour of the National Debt Commissioners for a sum of £13,000,000, together with interest thereon at the rate of 2½ per centum per annum, such charge to be reduced at any time by the issue of money out of the Consolidated Fund to the National Debt Commissioners of any portion of the sum of £13,000,000; (b) the cancelling of all Exchequer Bonds and Securities issued in respect of the advances made by the National Debt Commissioners."—(*Mr. Chancellor of the Exchequer.*)

(1.45.) DR. TANNER (Cork County, Mid): I beg to move that Progress be reported.

\*MR. GOSCHEN: This is but a formal stage. There will be opportunity of considering the Report of the Re-

solution, and subsequently Members will have the Bill in their hands.

DR. TANNER: Yes, but this is not the time for serious business; and the proceedings, if merely formal, can be easily gone through to-morrow.

Objection being taken to Further Proceeding, the Chairman left the Chair to make his report to the House.

Committee report Progress; to sit again To-morrow.

#### LAND COMMISSIONERS (IRELAND) [SALARIES].

Committee to consider of authorising the increase of the present Salaries of the Commissioners appointed under "The Purchase of Land (Ireland) Act, 1885," and the payment thereof out of the Consolidated Fund (Queen's Recommendation signified), upon Monday next.—(*Sir John Gorst.*)

MR. TIMOTHY HEALY: We are, of course, all in favour of this proposal; but may I ask the right hon. Gentleman what is intended? Is it intended to equalise the salaries?

SIR JOHN GORST: This is but the formal Resolution upon which to found the Bill.

MR. HEALY: Yes, I am aware of that; but is it intended to equalise the salaries?

MR. ARTHUR O'CONNOR (Donegal, E.): If there is any meaning in the stage at all, at least the House should be enabled to understand the proposition before it. The right hon. Gentleman has not enlightened us, and we must object to the Motion.

MR. SPEAKER: Order, order! The Motion is agreed to.

#### LOCAL GOVERNMENT (IRELAND) PRO- VISIONAL ORDER (No. 4) BILL. (No. 300.)

Reported, without Amendment [Provisional Order confirmed]; to be read the third time To-morrow.

#### LOCAL GOVERNMENT (IRELAND) PRO- VISIONAL ORDER (No. 5) BILL. (No. 301.)

Reported, without Amendment [Provisional Order confirmed]; to be read the third time To-morrow.

*Mr. Goschen*

#### LOCAL GOVERNMENT (IRELAND) PRO- VISIONAL ORDERS (No. 6) BILL. (No. 315.)

Reported, without Amendment [Provisional Orders confirmed]; to be read the third time To-morrow.

#### LOCAL GOVERNMENT (IRELAND) PRO- VISIONAL ORDER (No. 7) BILL. (No. 319.)

Reported, without Amendment [Provisional Order confirmed]; to be read the third time To-morrow.

#### PIER AND HARBOUR PROVISIONAL ORDERS (No. 3) BILL.—(No. 335.)

Reported, with Amendments [Provisional Orders confirmed]; as amended, to be considered To-morrow.

#### POST OFFICE ACT (1891) AMENDMENT BILL.—(No. 364.)

Order for Second Reading read, and discharged.

Bill withdrawn.

#### ELECTORS' QUALIFICATION AND RE- GISTRATION BILL.—(No. 38.)

Considered in Committee.

(In the Committee.)

Clause 1.

Committee report Progress; to sit again upon Monday next.

### M O T I O N S .

#### PARLIAMENTARY DEBATES.

Select Committee on Parliamentary Debates nominated of, — Mr. H. Anstruther, Mr. Bartley, Mr. Causton, Earl Compton, Mr. Dalziel, Sir John Gorst, Mr. Howorth, Mr. Maclean, Mr. Morton, Mr. T. P. O'Connor, and Mr. Willox.

Ordered, That the Committee have power to send for persons, papers, and records.

Ordered, That Five be the quorum.—(*Mr. Akers-Douglas.*)



**LOCAL GOVERNMENT PROVISIONAL ORDER  
(NO. 15) BILL.**

On Motion of Mr. Long, Bill to confirm a Provisional Order of the Local Government Board relating to the borough of Richmond (Surrey), ordered to be brought in by Mr. Long and Mr. Ritchie.

Bill presented, and read first time. [Bill 374.]

**LOCAL GOVERNMENT (IRELAND) PRO-  
VISIONAL ORDER (NO. 10) BILL.**

On Motion of Mr. Attorney General for Ireland, Bill to confirm a Provisional Order made by the Local Government Board for Ireland under "The Public Health (Ireland) Act, 1878," relating to the drainage of the city

of Dublin, and to enable the Corporation of Dublin to borrow in excess of their statutory powers, ordered to be brought in by Mr. Attorney General for Ireland and Mr. Jackson.

Bill presented, and read first time. [Bill 375.]

**POLICE RETURNS BILL.**

On Motion of Mr. Secretary Matthews, Bill to alter the period for which certain Police Returns are required to be made, ordered to be brought in by Mr. Secretary Matthews and Mr. Stuart-Wortley.

Bill presented, and read first time. [Bill 376.]

House adjourned at  
Two o'clock.

[ I N D E X . ]

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# INDEX

TO

## THE PARLIAMENTARY DEBATES

AUTHORISED EDITION.

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### VOLUME IV. FOURTH SERIES

BEING THE

### FOURTH VOLUME OF SESSION 1892.

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#### EXPLANATION OF THE ABBREVIATIONS.

Bills, Read 1<sup>a</sup>, 1<sup>o</sup>, 2<sup>a</sup>, 2<sup>o</sup>, 3<sup>a</sup>, 3<sup>o</sup>, Read the  
 First, Second, or Third Time.  
 1R., 2R., 3R. Speech delivered on  
 First, Second, or Third Reading.  
 Adj. Adjourned.  
 A. Answers.  
 Cols. Colonies.  
 c. Commons.  
 Com. Committee.  
 com. Committed.

Dept. Department.  
 Intro. Introduced.  
 l. Lords.  
 Obs. Observations.  
 Pres. Presented.  
 Q. Questions.  
 Re-com. Re-committed.  
 Rep. Reported.  
 R.P. Report Progress.  
 Reso. Resolution.

The subjects of Debate, as far as possible, are classified under General Headings:—*e.g.*,  
 ARMY—BOARD OF AGRICULTURE—BOARD OF TRADE—COLONIES—EDUCATION—FOREIGN  
 AFFAIRS—INDIA—IRELAND—NAVY—PARLIAMENT—POST OFFICE—SCOTLAND, &c.

**A**BERDEEN, NIGHT MAILS  
 Q. Mr. Bryce, A. Sir J. Ferguson, 1917

ABRAHAM, Mr. William, *Limerick, W.*  
 Delagoa Bay Railway Company, 511  
 Horse Breeding Prizes, 347  
 Land Sub-Commission, Newcastle, 155  
 Woodford and Whitegate Posts, 353

Access to Mountains, Scotland  
 Q. Mr. Bryce, A. Sir C. J. Pearson, 968

Access to Mountains (Scotland) (No. 2)  
 Bill [c. No. 379]  
 Intro. Sir C. J. Pearson; Read 1<sup>o</sup>, 1927

Accidents, London Streets, 830, 1528

**VOL. IV. [FOURTH SERIES.]**

Accumulations Bill [c. No. 277]  
 Com. R.P. 1639

ACLAND, Mr. Arthur H. Dyke, *York, W.R., Rotherham*  
 Charity Inquiries Bill, 334  
 Small Agricultural Holdings Bill, 890

ADDISON, Mr. J. E. W., *Ashton-under-Lyne*  
 Charges Against Schoolmasters, 188

**ADMIRALTY** (see NAVY)  
 First Lord—Lord George Hamilton  
 Civil Lord—Mr. E. Ashmead-Bartlett  
 Secretary—Mr. A. B. Forwood

Admiralty Contract for Serge  
Q. Mr. P. O'Brien, A. Sir J. Gorst, 1301

Advances, Irish Board of Works  
Q. Mr. Harrison, A. Sir J. Gorst, 352

#### AFRICA

Delagoa Bay Railway, 511  
Gold Coast Prisoners, 1114  
Jebu Expedition, 1900  
Morocco, British Embassy in, 277  
Postal Service, Central Africa, 507  
Shiré District and Lake Nyassa, 14  
Suez Canal and Petroleum, 719, 964, 1120, 1299, 1906  
Swaziland and Transvaal, 821  
Uganda Troubles, 1905, 1911  
Zulu Boundary, 727

African Companies and British Residents, 1437, 1525

#### AGRICULTURAL DEPARTMENT (see BOARD of AGRICULTURE)

Agricultural Returns and Revenue Officers, 703

AINSLIE, Mr. W. G., *Lancashire, N. Lonsdale*

Penalties under Education Acts, 1914  
Petroleum in the Suez Canal, 1120  
Small Agricultural Holdings Bill, 410  
Swaziland and the Transvaal Republic, 820

Albany Barracks Sub-Contract, 1446

Aldershot Chief Paymaster  
Q. Mr. Cobb, A. Mr. Brodrick, 151

Alexandra Palace and Grounds Bill  
Read 2<sup>o</sup>, and com. 940

Alien Immigration  
Q. Mr. James Lowther, A. Mr. A. J. Balfour, 826, 1447 (see also 279, 1916)

Allotments Provisional Order Bill [c. No. 308]

Read 2<sup>o</sup>, and com. 595  
Rep. without Amendt. 1406  
Read 3<sup>o</sup>, and passed, 1506

Allotments, Rent of  
Q. Mr. S. Keay, A. Mr. Ritchie, 187

Allotments (Scotland) Bill [c. No. 351]  
Intro. Sir C. J. Pearson; Read 1<sup>o</sup>, 936

AMBROSE, Mr. W., *Middlesex, Harrow*  
Local Authorities (Purchase of Land) Bill, 110  
Local Government (Ireland) Bill, 1369

[cont.]

AMBROSE, Mr. W.—*cont.*  
Manchester, Sheffield and Lincolnshire Railway (Extension to London, &c.) Bill, 683

American Mails, 364

AMERICA, UNITED STATES OF  
Behring Sea Treaty, 484  
Chicago Exhibition, 1920  
M'Kinley Tariff, 823  
Mail Services, 364  
Newfoundland Convention, 370, 709

Ancient Monuments  
Glamorgan, Order in Council, 1788

ANSTRUTHER, Mr. H. T., *St. Andrew's, &c.*  
Education and Taxation Relief (Scotland) Bill, 32

Antrim, Jurors of County  
Q. Mr. Macartney, A. Mr. Madden, 692

Arbitration, Mr. Curzon and  
Q. Mr. Cremer, Mr. Burt, Mr. Knox, A. Mr. Curzon, Mr. A. J. Balfour, 984

Arbitration with U.S. America, 15

Archdeaconry of Cornwall Bill  
c. from l.; Read 1<sup>o</sup>, 1407

Ardfert Telegraph Station  
Q. Sir T. Esmonde, A. Sir J. Fergusson, 358

Armagh Land Sub-Commission  
Q. Mr. McCartan, A. Mr. Jackson, 955

#### ARMY (see WAR OFFICE)

Accoutrement Contract, 1520  
Albany Barracks, Sub-Contract, 1446  
Aldershot Chief Paymaster, 151  
Ball Ammunition to Soldiers, 977  
Ballincollig Powder Barrels, 516  
Boys, Enlistment of, 509, 968, 1525  
Cordite Powder Patents, 711  
Curragh, Right of Way, 511, 961  
Dublin Barracks Improvement Bill, 807, 1427  
Edinburgh and Leith Barracks, 186  
Explosives Committee, 711  
Finn's, Sergeant, Pension, 1883  
Horse Guards, Typhoid Fever, 1428  
Intercommunication between Army and Navy, 1511  
Irish Regiments at Home, 1445  
Licensing of Militia Canteens, 1303  
Londonderry, Barracks in, 1305; Disturbances, 1916  
M'Grath's, John, Pension, &c., 946  
Maguire, Colonel, Case of, 979

[cont.]



## ARMY—cont.

*Medical Officers—Hospital Schools*, 11; *Mess Precedence*, 168

*Mess-tin Contractor, Wages*, 956

*Military Lands Consolidation Bill*, 1640

*Military Warders' Pay, &c.*, 697

*Militiamen and Sunday Duty*, 506

*Militia Officers, Mess Allowance*, 179

*Robinson, Miss, and Army Chaplains*, 694

*St. George's Barracks*, 13

*Soldiers and Shops*, 1901

*Under-Age Enlistment*, 509, 968, 1525

*Volunteers, Jury Service*, 274; *Membership of Clubs*, 366

*Wantage Committee's Report*, 188

*Yeomanry Cavalry*, 1648

## ARRAN, Earl of

*Royal Horse Guards—Typhoid Fever*, 1427

## Artillery Depôts, Edinburgh, 186

ASHER, Mr. A., *Elgin, &c.*

*Burgh Police and Health Bill*, 319

ASHMEAD-BARTLETT, Mr. E. (Civil Lord of the Admiralty), *Sheffield, Ecclestone*

*Greenwich Hospital Age Pensions*, 1445

ASQUITH, Mr. H. H., *Fife, E.*

*Local Authorities (Purchase of Land) Bill*, 102, 108

## Assaults in Railway Carriages

*Q. Mr. Summers, A. Sir M. Hicks Beach*, 183

## Assistants in Post Offices

*Ireland, Q. Dr. Tanner, A. Sir J. Gorst*, 1893

ATHERLEY-JONES, Mr. L., *Durham, N.W.*

*Small Agricultural Holdings Bill*, 421

## Australian Mails

*Q. Mr. Heaton, A. Mr. Forwood*, 1113

## Badges for Postmen

*Q. Mr. Broadhurst, A. Sir J. Gorst*, 1900

BAILEY, Sir Joseph R., *Hereford*

*Small Agricultural Holdings Bill*, 410, 414

BAIN, Sir James, *Whitehaven*

*New Coinage*, 1523

*Revolver Accidents*, 512

BAIRD, Mr. J. G. A., *Glasgow, Central*

*Sunday Closing, Scotland*, 949

## BALFOUR OF BURLEIGH, LORD

(Secretary to the Board of Trade)

*Target Practice (Seawards)*, 1092

*Weights and Measures (Purchase) Bill*, 819, 1094

BALFOUR, RIGHT HON. A. J. (First Lord of the Treasury), *Manchester, E.*

*Alien Immigration*, 827, 1447

*Arbitration, Mr. Curzon on*, 984

*Ballot Act (Illiterate Vote)*, 926

*Budget Proposals*, 15

*Burgh Police and Health Bill*, 1155

*Business of the House*, 64, 139, 140, 191, 284, 335, 373, 518, 664, 729, 835, 1130, 1308, 1448, 1533, 1535, 1672

*Church of Scotland Disestablishment*, 1777

*Clergy Discipline (Immorality) Bill*, 1528

*Consols and Land Stock*, 369

*Crofters Holdings (Scotland) Act*, 580

*Destitute Foreigners*, 280

*District Councils*, 726

*Dublin Barracks Bill*, 813, 814

*Education and Local Taxation Relief (Scotland) Bill*, 27, 44, 45, 46, 54, 58, 203, 209, 210, 223, 224, 225, 226

*Eight Hours Bill*, 827

*Electors Qualification and Registration Bill*, 1845

*Evidence in Criminal Cases Bill*, 284, 296, 299, 305, 308

*Financial Relations' Com.* 283

*Intoxicating Liquors (Ireland) Bill*, 1440

*Irish Education Bill*, 1088

*Juries Act*, 1306

*Local Government (Ireland) Bill*, 1313, 1326, 1405, 1469, 1542, 1576, 1711, 1727

*London Companies Irish Estates*, 514

*Old State Records*, 1448

*Parliamentary Reporting, Com.* 370

*Plural Voting Abolition Bill*, 1238

*Polynesians in Queensland*, 1999

*Railways, West Highlands*, 513

*Salisbury's, Lord, Speech*, 336

*Scottish Churches*, 1923, 1924

*Small Agricultural Holdings Bill*, 398, 444, 448, 449, 792, 794, 885

*Standing Committee on Law*, 1454, 1459

*Superannuation Acts Amendment (No. 2) Bill*, 255, 269, 722, 725, 726, 1309, 1312, 1313; *Select Com.* 1929

*Supply—Civil Services, Vote on Account*, 1935

*Universities (Scotland) Ordinances*, 482

*Vicar's Rate, Coventry*, 1666

*Wantage's, Lord, Report of Com.* 188

*Ways and Means Com. Resolutions*, 1081

BALFOUR, Mr. Gerald W., *Leeds, Central*

*Tuberculosis Commission*, 824

BALFOUR, Right Hon. John B., *Clackmannan, &c.*

*Crofters Holdings (Scotland) Act*, 562, 568, 587

## Ball Ammunition to Soldiers

*Q. Mr. Jeffreys, A. Mr. Brodrick*, 377

**BALLANTINE, Mr. W. H. W., *Corentry***  
Vicar's Rate at Coventry, 1666

**Ballinamore Postal Service**  
Q. Mr. Knox, A. Sir J. Fergusson, 1289

**Ballincollig Gunpowder Company**  
Q. Dr. Tanner, A. Mr. Brodrick, 516

**Ballot Act, Illiterate Vote**  
Reso. Mr. Webster, 892; Divisions, 934

**Ballot Act (1873) Amendment Bill** [c. No. 189]  
Withdrawn, 484

**Ballyclough Proclaimed Meeting**  
Q. Mr. W. O'Brien, A. Mr. Jackson, 154

**Ballymore Post and Telegraph**  
Q. Mr. D. Sullivan, A. Sir J. Fergusson, 1285, 1286

**BARCLAY, Mr. J. W., *Forfarshire***  
Burgh Police and Health (Scotland) Bill, 316, 324, 328, 329, 331, 332, 1157, 1161, 1162, 1163, 1167  
Education and Taxation Relief (Scotland) Bill, 197, 202  
Postal Order Regulations, 1298  
Small Agricultural Holdings Bill, 391, 403, 410, 433, 444, 521, 527, 538, 539, 733, 780, 785, 847, 849, 861, 862, 1133

**Bargeowners, &c. Liability Bill** [c. No. 211]  
2R. deferred, 271  
Read 2<sup>o</sup>, and com. to Select Com. 815

**Barracks in Ireland**  
Q. Mr. Jordan, A. Mr. Brodrick, 1305

**BARTLEY, Mr. G. C. T., *Islington, N.***  
Business of the House, 1534  
Customs and Inland Revenue Bill, 1634, 1636, 2000, 2009, 2015  
Eastbourne Improvement Act Amendment Bill, 1281  
Electors Qualification and Registration Bill, 1822  
Glasgow Police Bill, 1110  
Point of Order, 1522  
Standing Committee on Law, 1460  
Ways and Means, 1082

**BARTON, Mr. D. P., *Armagh, Mid***  
Evidence in Criminal Cases Bill, 309  
Local Government (Ireland) Bill, 1482, 1492, 1500  
Salmon Fresh-water Fisheries Bill, 594, 595

**BARTTELOT, Right Hon. Sir Walter B., *Susser, North-West***  
Small Agricultural Holdings Bill, 411, 434, 524, 773, 1140  
Wantage's, Lord, Report of Com. 188

**Baskets for Parcel Post, 1890**

**BATH, Marquess of**  
Conveyancing and Law of Property Act (1881) Amendment Bill, 666

**Bathing in Shannon, Dangerous**  
Q. Mr. O'Keeffe, A. Mr. Brodrick, 954

**BAUMANN, Mr. A. A., *Camberwell, Peckham***

Business of the House, 1673  
Cordite, Manufacture of, 710  
Customs Officials, Examination, 517  
Electors Qualification and Registration Bill, 1843, 1846  
Explosives Committee, 711  
Local Authorities (Purchase of Land) Bill, Amendt. 79, 95, 98  
Parliamentary Papers, 515

**BEACH, RIGHT HON. SIR M. E. HICKS**  
(President of the Board of Trade),  
*Bristol, W.*

Assaults in Railway Carriages, 183  
Bread Union (Limited), 159  
Brigg's Reef Wreck, 944, 1883  
Children in Excursion Trains, 1922  
Colour Vision Com. Report, 1306  
Customs Officers, Low Salaries, 1527, 1924  
Foreign-made Glass Bottles, 1529  
Hampstead Heath Railway Station, 162  
Lighthouse Boat Attendance, 1512  
Manchester, Sheffield, and Lincolnshire Railway Bill, 691  
Mercantile Marine Officials, 1670  
Merchant Shipping Act Breaches, 1117  
Patent Office Journal, 1294  
Patents, England and United States, 183  
Pier and Harbour Provisional Orders (No. 3) Bill, Intro. 596; No. 4 Bill, Intro. 1784; No. 5 Bill, Intro. 1785  
Railway Rates, 181, 1885  
Railway Rates and Charges Bill, 497, 501  
Sutherland, Piers in, 185  
Weights and Measures (Purchase) Bill, 62

**BEAUFOY, Mr. M. H., *Lambeth, Kennington***  
Cattle Disease on the Continent, 973

**Behar Cadastral Survey**  
Q. Sir R. Lethbridge, A. Mr. Curzon, 1117, 1432, 1894

**Behring Sea Treaty pres. 484**

**Belfast, Alleged Disturbances in**  
Q. Mr. Sexton, Mr. Morley, A. Mr. Jackson, 1667-1670; Q. Mr. Sexton, A. Mr. Jackson, 1907, 1909

**Belfast, District Registry for**  
Q. Mr. Sexton, Mr. McCartan, A. Mr. Madden, 722, 832

**Belfast Postal Delivery**

Q. Mr. T. W. Russell, A. Sir J. Fergusson, 352

**BELPER, Lord**

Yeomanry Cavalry, 1643, 1651

**Belturbet Weights and Measures**

Q. Mr. Knox, A. Mr. Jackson, 1290

**BETHELL, Commander G. R., York, E.R., Holderness**

Small Agricultural Holdings Bill, 404, 421, 432, 737, 848, 852, 861, 884

**Betting Prosecutions**

Q. Mr. Pickersgill, A. Mr. Matthews, 4

**Bicycle Riding, Reckless**

Q. Marquess of Granby, A. Mr. Matthews, 275

**BIGWOOD, Mr. J., Middlesex, Brentford**

Postcards and Halfpenny Stamps, 1910  
Telegraphic Charges, 1910  
Ways and Means, 1044

**BIRKBECK, Sir Edward, Norfolk, E.**

Brigg's Reef Wreck, 944  
Fisheries (Oyster, Crab, and Lobster) Act (1877) Amendment Bill, Intro. 1640  
Salmon and Freshwater Fisheries Bill, 595

**Birmingham Corporation Water Bill**

c. Rep. from Select Com. 1405  
Considered, 1857; New Clauses agreed to, 1883

**BIRRELL, Mr. A., Fife, W.**

Superannuation Acts Amendment Bill, 259

**Births in Prison**

Q. Mr. P. O'Brien, A. Mr. Matthews, 348

**BLANE, Mr. A., Armagh, S.**

Local Government (Ireland) Bill, 1366

**BOARD OF AGRICULTURE**

President—*Right Hon. H. Chaplin*

*Cattle Disease on Continent*, 973

*Field Mice, Destruction of*, by Professor Loffler, 721

*Foot-and-Mouth Disease—Essex and Herts*, 8; *Perth*, 1434; *Railway Restrictions*, 966

*Land Drainage Provisional Order (Morton Fen) Bill*, 64

*Ordnance Survey*, 359; *Grievances*, 360, 963; *Wales*, 361

*Pleuro-Pneumonia Restrictions*, 515, 1920

*Small Agricultural Holdings Bill, in Com.* 375, 518, 731, 835, 1134

**BOARD OF TRADE**

President—*Right Hon. Sir M. Hicks Beach*

Secretary—*Lord Balfour of Burleigh*

*Brigg's Reef Wreck*, 944, 1883

*Colour Vision Com. Report*, 1306

*Glass Bottles Imported*, 1529

*Lighthouse Boat Attendance*, 1512

*Mercantile Marine, Officials*, 1670; *Shipping Act Breaches*, 1117

*Patents—England and United States*, 183; *Journal*, 1294

*Pier and Harbour Provisional Orders Bills*, 596, 1784, 1785

*Piers in Sutherland*, 185

*Railways—Assaults*, 183; *Excursion Trains*, 1922; *Hampstead Heath Station*, 162; *M. S. & L. Bill*, 691; *Rates*, 181, 1885; *Rates and Charges Bills*, 497, 501

*Weights and Measures (Purchase) Bill*, 62, 335, 819, 1094

**BOLTON, Mr. J. C., Stirling**

Education and Taxation Relief (Scotland) Bill, 208

English College Grants, 373

**BOLTON, Mr. T. H., St. Pancras, N.**

Customs and Inland Revenue Bill, 1635, 2012

Small Agricultural Holdings Bill, 430, 748, 771, 785, 841, 853, 857, 858, 859, 861

**Bonded Warehouses, Number of**

Q. Mr. O'Hanlon, A. Mr. Goschen, 958

**Borough Boundaries**

Q. Mr. W. H. Cross, A. Mr. Matthews, 371

**BORTHWICK, Sir Algernon, Kensington, S.**

Gunboats for Lake Nyassa, 828

**BOUSFIELD, Mr. W. R., Hackney, N.**

Electors Qualification and Registration Bill, 1818

Plural Voting Abolition Bill, 1220

Sworn in, 730

**BRAND, Hon. A. G., Cambridge, Wisbech**

Business of the House, 1533

**BRAZIL**

British and United States Trade, 1885

British Emigration, 1443

**Bread Union (Limited), The**

Q. Mr. Wallace, A. Sir M. H. Beach, 159

**Brigg's Reef Wreck, 994, 1883****BRIGHT, Mr. J. Albert, Birmingham, Central**

Penalties, Non-Vaccination, Scotland, 12

**Brine Pumping (Compensation for Subsidence) Provisional Order Bill** [c. No. 347]

Intro. Mr. Long; Read 1<sup>o</sup>, 936

**British Columbia Colonisation**, 833

**British Emigrants in Brazil**

Q. Mr. B. Reed, A. Mr. J. W. Lowther, 1443

**British Spirits, Drawback on**, 276

**British Trade with Brazil**

Q. Sir J. Lubbock, Sir F. Mappin, A. Mr. J. W. Lowther, 1884

**BROADHURST, Mr. H., Nottingham, W.**  
Postmen's Badges, 1900

**BRODRICK, Hon. W. St. John**  
(Financial Secretary to the War Office, Surrey, Guildford)

Accountement Contracts, 1520  
Albany Barracks Sub-Contract, 1446  
Aldershot Chief Paymaster, 151  
Ball Ammunition to Soldiers, 977  
Ballincollig Powder Barrels, 516  
Barracks in Londonderry, 1305  
Boys, Enlistment of, 509, 968, 1525  
Cordite Powder Patents, 711  
Curragh, Right of Way, 511  
Dangerous Bathing in Shannon, 954  
Dublin Barracks Improvement Bill, 594, 810, 814  
Edinburgh and Leith Barracks, 186  
Education of Soldiers' Children, 354  
Explosives Committee, 711  
Finn, Colour Sergeant, Pension of, 1883  
Handley, Fire at, 1532  
Intercommunication, Army and Navy, 1511  
Irish Regiments Home Service, 1445  
Licensing of Militia Canteens, 1303  
Londonderry Barracks Disturbance, 1916  
M'Grath's, John, Pension, &c. 946  
Maguire, Colonel, Case of, 979  
Medical Officers and Schools, 11  
Medical Officers Mess Precedence, 168  
Mess Allowance, Militia Officers, 179  
Mess-Tin Contractors, Wages, 956  
Military Lands Consolidation Bill, Select Com. nominated, 1640  
Military Wardens' Pay, &c., 697  
Militiamen and Sunday Duty, 506  
Robinson, Miss, and Army Chaplains, 694  
St. George's Barracks, 13  
Soldiers and Shops, 1901  
Under-Age Enlistment, 509, 968, 1525  
Volunteers and Jury Service, 274

**BROWN, Mr. Alexander L., Hawick, &c.**

Church of Scotland Disestablishment, &c. "744

Wa.

**BROWNLOW, EARL** (Under Secretary of State for War)  
Dublin Barracks Improvement Bill, 820  
Horse Guards, Typhoid Fever, 1428  
Yeomanry Cavalry, 1648

**BRUCE, Mr. Gainsford, Finsbury, Holborn**  
Electors Qualification and Registration Bill, 1808

**BRUCE, Lord Henry, Wilts, Chipperham**  
Business of the House, 1533  
Condition of Wellington Place, 1521

**BRUNNER, Mr. J. T., Cheshire, Northwich**

Deaf and Dumb, Education of, 976  
Franchise and Poor Law Relief, 7  
Municipal Corporations Act (1882) Amendment Bill, 658  
Municipal Corporations Act (1882) Amendment (No. 2) Bill, 596, 1085  
Petroleum in the Suez Canal, 965  
Public Health Acts Amendment Bill, 1505

**BRYCE, Mr. J., Aberdeen, S.**  
Aberdeen Night Mails, 1917  
Access to Mountains Bill, 138, 968  
Business of the House, 335, 730, 1130, 1534  
Education and Taxation Relief (Scotland) Bill, 18, 38, 47, 198, 225  
Local Government (Ireland) Bill, 1494  
Persian Tobacco Concession, 1952  
Polynesian Labour in Queensland, 1124, 1996  
Uganda Disturbances, 1305

**BUCHANAN, Mr. T. R., Edinburgh, W.**  
Edinburgh and Leith Barracks, 187  
Education and Taxation Relief (Scotland) Bill, 29, 45, 47, 208, 209  
Ordnance Survey, 136, 359  
Pariah Population in South India, 978  
Scottish Churches, The, 1922, 1923  
Shire and Lake Nyassa, 14

**Budget Proposals**  
Q. Mr. S. Buxton, A. Mr. A. J. Balfour, 15

**Building Lands Rating and Purchase Bill** [c. No. 244]  
Withdrawn, 595

**Burgh Police and Health (Scotland) Bill** [c. No. 230]  
Com. Amendts. R.P. 313-334  
Com. 1153, R.P. 1167

**"Burlington," and Shipping Act**, 1116

**BURT, Mr. T., Morpeth**  
Arbitration, Mr. Curzon on, 984



Business of the House (see *PARLIAMENT*)

BUXTON, Mr. S. C., *Tower Hamlets, Poplar*

Albany Barracks, Sub-Contracting, 1446  
Budget Proposals, 15, 985  
Customs and Inland Revenue Bill, 2011  
Government Contracts Return, 342  
Local Authorities (Purchase of Land) Bill, 89, 129  
Mess-Tin Contracts, 955

BYRNE, Mr. G. M., *Wicklow, W.*

Knockananna Post, 1296  
Teachers' Capitation Grant, 1295

Cadastral Survey of Behar, 1117, 1432, 1895

CALDWELL, Mr. J., *Glasgow, St. Rollox*

Burgh Police and Health (Scotland) Bill, 315, 1154, 1156, 1158, 1159, 1161, 1163  
Crofters Holdings (Scotland) Act, 550  
Education and Local Taxation Relief Bill, 30, 54, 212  
Procurators Fiscal and Crofter Cases, 1658  
Scotch Landlords and Corn Mills, 1444  
Superannuation Acts Amendment (No. 2) Bill, 251

CAMERON, Dr. C., *Glasgow, College*

Burgh Police and Health (Scotland) Bill, 320, 321, 322, 325, 332, 333, 1158, 1162  
Catholic Prison Chaplains, 276  
Church of Scotland (Disestablishment and Disendowment), Reso. 1735, 1749, 1760  
Costs in County Courts, 1113  
Drawback on British Spirits, 276  
Education and Taxation Relief (Scotland) Bill, 212  
Glasgow Police Bill, 1105  
Greenock Parochial Board, 693  
Lewis Lyons, Conviction of, 959  
Public House Closing Hours, 343  
Rothesay School Board, 952  
Vexatious Litigation (Scotland) Bill, Intro. 1856

CAMERON, Mr. J. McDonald, *Wick, &c.*

Burgh Police and Health (Scotland) Bill, 316, 319, 320, 325, 327  
Education and Local Taxation Relief Bill, 206, 226  
Gold-mining Royalties, 168

CAMPBELL, Mr. J. A., *Glasgow and Aberdeen Universities*

Education and Local Taxation Relief Bill, 52

CAMPBELL-BANNERMAN, Right Hon. H., *Stirling, &c.*

Birmingham Corporation Water Bill, 1859, 1867, 1869, 1872, 1877  
Business of the House, 373

CAMPBELL-BANNERMAN, Right Hon. H.—*cont.*

Church of Scotland Disestablishment, &c. 1767, 1771, 1778, 1781  
Crofters Holdings (Scotland) Act, 590  
Education and Local Taxation Relief Bill, 33, 44, 210, 216  
Roads and Bridges (Scotland) Bill, 61  
Small Agricultural Holdings Bill, 446, 448  
Standing Committee (Law, &c.), 692

CAMPERDOWN, Earl of

Universities (Scotland) Act, 338  
Water Companies (Regulation of Powers) Bill, 937, 939, 1409, 1410, 1411, 1412, 1413, 1414, 1415, 1416, 1417, 1418, 1419

Capitation Grant, Irish Schools

Q. Mr. Byrne, A. Mr. Jackson, 1295

CAREW, Mr. J. L., *Kildare, N.*

Curragh, Right of Way, 510  
H.M.S. "Sultan," 720  
Labourers Cottages in Kildare, 359

Catholic Prison Chaplains

Q. Mr. Dalziel, A. Sir J. Gorst, 5; Q. Dr. Cameron, A. Sir J. Gorst, 276

Cattle Disease on Continent

Q. Mr. Beaufoy, A. Mr. Chaplin, 973

CAUSTON, Mr. R. K., *Southwark, W.*

Bargeowners, &c. Liability Bill, 271, 815  
Electors Qualification and Registration Bill, 1853  
Gibraltar Sanitary Board, 185; Engineer, 362  
Parcel Post Baskets, 1890  
Petroleum, Storage of, 1129  
Vestrymen and Voting Penalties, 517

Cavan Guardians Costs, 982

Cavan, Land Commissioners in

Q. Mr. Knox, A. Mr. Jackson, 167

Census of Foreigners, 279

Central Africa Postal Service

Q. Mr. Coghill, A. Sir J. Fergusson, 507

Ceylon Grain Tax, 1919

CHAMBERLAIN, Right Hon. J., *Birmingham, W.*

Birmingham Corporation Water Bill, 1863, 1866, 1868, 1871, 1876, 1880, 1881  
Jones, Captain, Imprisonment of, 1294  
"Kew Bulletin," 1289  
Local Government (Ireland) Bill, 1544, 1702  
Small Agricultural Holdings Bill, 382, 384, 440, 441, 447, 744, 749, 783, 838, 875, 876, 882, 1138

CHAMBERLAIN, Mr. Richard, *Islington, W.*

Pleuro-Pneumonia, 1920

CHANCE, Mr. P. A., *Kilkenny, S.*  
Electors Qualification and Registration Bill, 1824

Channel Squadron and Lough Swilly, 1666

CHANNING, Mr. F. A., *Northampton, E.*  
Prison Clothes, 189  
Small Agricultural Holdings Bill, 416, 418, 423, 434, 445  
Vaccination Commission, 1517

CHAPLIN, RIGHT HON. H. (President of the Board of Agriculture), *Lincolnshire, Sleaford*

Cattle Disease on Continent, 973

Foot-and-Mouth Disease—Essex and Herts, 8; Railway Restrictions, 966; Perth, 1434

Land Drainage Provisional Order (Morton Fen) Bill, Intro. 64

Mice and Professor Löffler, 721

Ordnance Survey, 359; Grievances, 360, 963; Wales, 361

Pleuro-Pneumonia Restrictions, 515, 1920

Small Agricultural Holdings Bill, 377, 395, 400, 402, 403, 409, 410, 411, 413, 416, 417, 420, 426, 435, 436, 438, 439, 440, 443, 445, 446, 447, 448, 519, 522, 523, 525, 527, 528, 533, 534, 535, 539, 543, 544, 732, 737, 740, 745, 756, 760, 770, 779, 782, 788, 843, 848, 849, 850, 853, 856, 857, 858, 860, 861, 862, 863, 865, 871, 875, 876, 877; New Clauses, 878, 887, 890, 1132, 1134, 1142, 1147, 1151, 1153

**Charity Inquiries Bill** [c. No. 278]

Read 2<sup>o</sup>, and com., 334

Com. Rep. Read 3<sup>o</sup>, and passed, 935

l. from c.; Read 1<sup>a</sup> [No. 113], 940

**Chartered Accountants Bill**

c. Withdrawn, 815

Chartered African Companies

Q. Mr. C. Graham, A. Mr. J. W. Lowther, 1437, 1525

Chatham Prison Convicts

Q. Mr. P. O'Brien, A. Mr. Matthews, 1127

Chicago Exhibition

Q. Sir T. Esmonde, Mr. J. O'Connor, A. Sir R. Webster, 1920

Children, Sale of Drink to, 715

Children's Excursion Trains

Q. Mr. W. Isaacson, A. Sir M. H. Beach, 1922

**Chimney Sweepers Bill** [c. No. 367]

Intro. Sir J. Colomb; Read 1<sup>o</sup>, 1640

Chinese Immigrants in Singapore

Q. Mr. S. Smith, A. Baron H. de Worms, 157

Christ's Hospital and Naval Officers' Sons

Q. Captain Price, A. Mr. J. W. Lowther, 176

Church of Scotland (Disestablishment and Disendowment)

Reso. Dr. Cameron, 1735; Divisions, Amendt. carried, 1783

City Postal Delays

Q. Mr. P. O'Brien, A. Sir J. Fergusson, 343

Claremorris and Collooney Railway

Q. Mr. Collery, A. Mr. Madden, 513, 717; Q. Mr. Jordan, A. Mr. Jackson, 1304

CLARK, Dr. G. B., *Caithness*

Burgh Police and Health (Scotland) Bill, 313, 315, 316, 317, 318, 320, 321, 323, 325, 326, 329, 331, 332, 333

Crofters Holdings (Scotland) Act, 553, 570, 571

Customs and Inland Revenue Bill, 2010

Edinburgh and Leith Artillery Depot, 186

Education and Taxation Relief (Scotland) Bill, 40, 45, 50, 57, 58, 196, 204, 218, 224

Financial Relations Com. 283

Polynesian Labour in Queensland, 832, 1980

Railway Communication in Scotland, 513

Scottish Churches, 1924

Small Agricultural Holdings Bill, 399, 411, 412, 414, 446, 447, 534, 536, 538, 741, 746, 1164

Superannuation, Select Com. 1929

Universities Ordinances (Scotland), 482

Weights and Measures (Purchase) Bill, 63

CLARKE, SIR E. G. (Solicitor General), *Plymouth*

Death of Mr. W. Bedwell, Overwork, 1527

Electors Qualification and Registration Bill, 1829, 1842

Statute Law Revision, Joint Com. 892

Classification of Paupers, 278

Clergy Discipline (Immorality) Bill

Q. Colonel Sandys, A. Mr. A. J. Balfour, 1528

**Clergy Discipline (Immorality) Bill** [c. No. 239]

Rep. from Standing Com. [No. 372], 1788

CLIFFORD of CHUDLEIGH, Lord

Jury Service of Volunteers, 1420, 1424, 1426

Club and Public-House Licences

Q. Mr. Summers, A. Mr. Goschen, 1899

Club Membership, Volunteers, 366

Coal-Gas Stills

Q. Sir H. Roscoe, A. Mr. Goschen, 1126

COBB, Mr. H. P., *Warwick, S.E., Rugby*

Aldershot Chief Paymaster, 151

Death from Overwork, 1527

Dockyard Police, 696, 1282

"M.A." Degree wrongly assumed, 354, 1530

Military Warders, Remuneration of, 697

Small Agricultural Holdings Bill, 520, 523, 524

Small Pox at King's Norton, 152, 153

COGHILL, Mr. D. H., *Newcastle-under-Lyme*

Central African Posts, 507

Local Government (Ireland) Bill, 1361

London Street Accidents, 830, 1528

New Coinage, 828

Coinage, the New

Q. Mr. Coghill, A. Mr. Goschen, 828 ; Q. Sir J. Bain, Mr. Fowler, A. Mr. Goschen, 1523

COLLERY, Mr. B., *Sligo, N.*

Collooney and Claremorris Railway, 513, 717

COLLINGS, Mr. Jesse, *Birmingham, Bordesley*

Small Agricultural Holdings Bill, 380, 406, 411, 416, 417, 422, 436, 446, 447, 520, 523, 527, 528, 534, 547, 731, 738, 740, 746, 752, 758, 763, 768, 777, 778, 779, 783, 793, 835, 843, 844, 847, 850, 857, 858, 863, 875, 876, 877, 1132, 1153

Collooney and Claremorris Line, 513, 717, 1304

COLOMB, Sir John C. R., *Tower Hamlets, Bow, &c.*

Army and Navy Intercommunication, 1511

Chimney Sweepers Bill, 1640

Customs and Inland Revenue Bill, 1635, 2008

COLONIES

Secretary of State—*Lord Knutsford*

Under Secretary—*Baron H. de Worms*

*British Columbia Colonisation*, 834

*Ceylon, Grain Tax*, 1919

*Cyprus Tribute, &c.* 1283

*Gibraltar, Sanitary Board, &c.* 185, 361, 363

*Gold Coast Political Prisoners*, 1115

*Jebu Expedition*, 1532, 1900

COLONIES—cont.

*Mauritius, Hurricane in*, 1446, 1660

*Newfoundland Convention*, 370, 709 ; *French Shore Bill*, 1119

*Queensland and Polynesian Labour*, 144, 173, 356, 831, 969, 971, 1122, 1516, 1887, 1890, 1961-1999

*Singapore, Chinese in*, 157

*Swaziland and Transvaal*, 821

*West Indian Tariffs*, 1899

*Zulu Boundary Commission*, 727

Colonisation of British Columbia

Q. Mr. Seton-Karr, A. Mr. Goschen, 833

Colour Vision Report

Q. Mr. Crawford, A. Sir M. H. Beach, 1306  
Report of Com. pres. 1408

Colthurst's, Sir G., Estate, 371

COLVILLE of CULROSS, Lord

Target Practice Seawards, 1090

COMMINS, Dr., *Roscommon, S.*

Dublin Barracks Improvement Bill, 812

Evidence in Criminal Cases Bill, 303

Municipal Corporations Act (1882) Amendment Bill, 645

COMMITTEE OF COUNCIL ON EDUCATION

Lord President—*Viscount Cranbrook*

Vice President—*Right Hon. Sir W. H. Dyke*

(see *EDUCATION Department*)

Companies (Certificate of Incorporation) Bill

l. Pres. Lord Herschell ; Read 1<sup>a</sup>, 485

Read 2<sup>a</sup>, and com. 1248

Rep. and Re-com. 1509

Compensation for Murder

Q. Mr. Kelly, A. Mr. Madden, 347

COMPTON, Earl, *York, W.R., Barnsley*

Central Telegraph Office, Promotions, 1430

Glasgow Police Bill, 1107

Glasgow Postmen's Wages, 1431

Provincial Postal Inspectors, 1901

Connaught Rangers, 1445

Conscience Clause, Hersham School, 340

Consols and Land Stock

Q. Sir T. Esmonde, Mr. T. M. Healy, A. Mr. A. J. Balfour, 369

# Conveyancing and Law of Property Act (1881) Amendment Bill

l. Rep. deferred, 339  
Com. 665, Rep. as amended, 677  
Read 3<sup>a</sup>, and returned to c. 1090

Convictions for Drunkenness, 825

CONWAY, Mr. M., *Leitrim, N.*  
Irish Education Bill, 1088

CONYBEARE, Mr. C. A. V., *Cornwall, Camborne*

Business of the House, 730  
Lyons, Lewis, Conviction of, 718  
Municipal Corporations Act (1882) Amendment Bill, 648  
Revenue Officers and Agricultural Returns, 703  
Sale of Liquors to Children, 715  
Small Agricultural Holdings Bill, 393  
Superannuation Acts Amendment (No. 2) Bill, 242, 726

COOKE, Mr. C. W. Radcliffe, *Newington, W.*  
Petroleum in Suez Canal, 1299

CORBETT, Mr. A. C., *Glasgow, Tradeston*  
Grogging Spirit Casks, 952

Cordite, Manufacture of  
Q. Mr. Baumann, A. Mr. Brodrick, 710

Cork and American Mails  
Q. Dr. Tanner, A. Sir J. Fergusson, 364

Cork and Dublin Mail Service  
Q. Dr. Tanner, A. Sir J. Fergusson, 10

CORK and ORRERY, Earl of  
Water Companies (Regulation of Powers) Bill, 1417

Cork Lunatic Asylum  
Q. Dr. Tanner, A. Mr. Jackson, 372

Cork Poor Law Elections  
Q. Mr. P. O'Brien, A. Mr. Jackson, 1292

Corn Mills and Scotch Landlords  
Q. Mr. Caldwell, A. Sir C. J. Pearson, 1444

Corn Sales  
Select Com. 592, 663  
Change of Member, 1086

Coroners in Boroughs Bill [c. No. 245]  
Com. Rep. 1168

Corporations (Stamp Duties) Bill [c. No. 338]

Intro. Sir A. Rollit; Read 1<sup>o</sup>, 664

Cottars in South Uist

Q. Mr. Fraser-Mackintosh, A. Sir C. J. Pearson, 506

County Courts, Costs Security

Q. Dr. Cameron, A. Sir C. J. Pearson, 1113

County Surveyors, Status of

Q. Colonel Nolan, A. Mr. Madden, 1918

COURTNEY, RIGHT HON. L. H. (Chairman of Committees of Ways and Means and Deputy Speaker), *Cornwall, Bodmin*

FOR RULINGS—As Chairman of Committees and Deputy Speaker see under *SPEAKER*, Mr.

Parliamentary Deposits and Bonds Bill, Intro. 1408

Courts Martial, Army

Return moved for (Sir F. FitzWygram), 1085

Coventry, Vicar's Rate, 1666

COWPER, Earl

Yeomanry Cavalry, 1646

Cox, Mr. J. R., *Clare, E.*

Fergus River, 979, 1307  
Inland Revenue Supervisors, 1436  
Sunday Mails from London, 278, 716

CRAIG, Mr. J., *Newcastle-upon-Tyne*

Customs Officers' Memorials, 185  
Petroleum in the Suez Canal, 964, 1299  
Railway Rates, &c. (North Eastern) Bill, 504, 505  
Superannuation Acts Amendment Bill, 247, 726

CRANBORNE, Viscount, *Lancashire, N.E., Darwen*

Fee Grant, Calculation of, 697, 699  
Foot-and-Mouth Disease Regulations, 966  
Pleuro-Pneumonia Orders, 515  
Superannuation Acts Amendment Bill, 231

CRANBROOK, Viscount (Lord President of the Council)

Elementary Education (Blind and Deaf) Bill, pres. 937

CRAWFORD, Mr. D., *Lanark, N.E.*

Burgh Police and Health (Scotland) Bill, 316, 325  
Colour Vision Report, 1306  
Education and Taxation Relief (Scotland) Bill, 34, 44, 56, 217  
Education (Scotland) Law Amendment Bill, 662, 1504, 1505  
Law, Standing Committee on, 1468

[cont.]



- CRAWFORD, Mr. D.—cont.**  
 Small Agricultural Holdings Bill, 537, 881, 885, 1132, 1149  
 Tenure of Workmen's Houses Bill, 138  
 Universities Ordinances (Scotland), 469
- CREMER, Mr. W. R., *Shoreditch, Haggerston***  
 Arbitration Motion, 15  
 Arbitration, Mr. Curzon on, 984  
 General Post Office, New, 973  
 Local Authorities (Acquisition of Land) Bill, 134  
 Polynesian Labour in Queensland, 1961
- Crofters and Procurators Fiscal, 1658**
- Crofters Holdings (Scotland) Act**  
 Reso. Mr. Caldwell, 550, Adj. 591
- CROSS, Hon. W. H., *Liverpool, West Derby***  
 Borough Boundaries, 371  
 Municipal Corporations Act (1882) Amendment Bill, 642  
 Statutes of 1882, 1287
- CUBITT, Right Hon. George, *Surrey, Epsom***  
 Hersham School, Conscience Clause, 340
- Culdaff Telegraph Office**  
 Q. Mr. Maguire, A. Mr. Jackson, 713
- Curragh, Right of Way**  
 Q. Mr. Carew, A. Mr. Brodrick, 510; Q. Mr. Hayden, A. Sir J. Gorst, 961
- CURRIE, Sir D., *Perthshire, W.***  
 Removal Terms, Scotland, 1659
- CURZON, Hon. G. N. (Under Secretary of State for India), *Lancashire, Southport***  
 Arbitration Societies, Speech on, 984  
 Cadastral Survey in Behar, 1118, 1119, 1432, 1895  
 Madras Presidency, 1661  
 Medical Officers in India, 1287  
 Pariah Population, Madras, 978  
 Salaries of High Officials, 180  
 Salaries of School Inspectors, 1896
- CUST, Mr. H. J. C., *Lincolnshire, Stamford***  
 Small Agricultural Holdings Bill, 735, 751, 1135, 1145
- Customs and Inland Revenue Bill**  
 c. Read 2<sup>o</sup>, and com. 1407.  
 Com. R.P. 1507  
 Com. R.P. 1634  
 Com. 2000; Rep. without Amendt. 2018
- Customs Officers**  
*Memorials*, Q. Mr. Craig, A. Mr. Goschen, 185; *Examinations*, Q. Mr. Baumann, A. Sir J. Gorst; *Salaries*, Q. Mr. C. Graham, A. Sir M. H. Beach, 1526, 1925
- Cyprus Tribute**  
 Q. Mr. Leighton, Mr. Winterbotham, Mr. Summers, A. Mr. Goschen, 1283
- DALZIEL, Mr. J. H., *Kirkcaldy, &c.***  
 Burgh Police and Health (Scotland) Bill, 333  
 Business of the House, 1131, 1308  
 Catholic Prison Chaplain, Glasgow, 5  
 Maybrick, Mrs. 1661  
 Mercantile Marine Officials, 1670, 1671  
 Merchant Shipping Act, 1116  
 Publication of State Records, 1448  
 Superannuation Acts Amendment (No. 2) Bill, 239
- DARLING, Mr. C. J., *Deptford***  
 Small Agricultural Holdings Bill, 1146
- DAVEY, Sir Horace, *Stockton***  
 Small Agricultural Holdings Bill, 789, 881, 886
- Deaf and Dumb Education**  
 Q. Mr. Brunner, A. Sir W. H. Dyke, 976
- Death from Alleged Overwork**  
 Q. Mr. Cobb, A. Sir E. Clarke, 1527
- Delagoa Bay Railway Company**  
 Q. Mr. Abraham, A. Mr. J. W. Lowther, 511
- DE LISLE, Mr. E. J. L., *Leicestershire, Mid***  
 Illiterate Voters, 916, 921  
 Plural Voting Abolition Bill, 1244
- Deposits (P.O.) and Advances, Ireland**  
 Q. Mr. O'Keeffe, A. Mr. Goschen, 1896
- DE RAMSEY, Lord**  
 Reformatory and Industrial Schools, 1255, 1262, 1265, 1266
- Destitute Foreigners, 279**
- DE WORMS, RIGHT HON. BARON H. (Under Secretary of State for the Colonies), *Liverpool, East Toxteth***  
 Ceylon Paddy Tax, 1919  
 Chinese in Singapore, 157  
 Gibraltar Sanitary Board, 185, 361, 362, 363  
 Gold Coast Political Prisoners, 1115  
 Jebu Expedition, 1532, 1900  
 Mauritius Hurricane, 1446, 1660  
 Newfoundland Convention, 370, 709  
 Newfoundland, French Shore Bill, 1119

**DE WORMS, Right Hon. Baron H.—cont.**

Polynesian Labour in Queensland, 173, 175,  
356, 381, 369, 371, 372, 1122, 1123, 1516,  
1887, 1889, 1890, 1966, 1968, 1970, 1988,  
1989, 1990, 1991

Swaziland and Transvaal, 821

West Indian Tariffs, 1899

Zulu Boundary Commission, 727

**DILLON, Mr. John, Mayo, E.**

Local Government (Ireland) Bill, 1727

**DILLWYN, Mr. L. L., Swansea, Town**

Birmingham Water Bill, 1882

**DIMSDALE, Baron, Herts, Hitchin**

Small Agricultural Holdings, 737

**Diplomatic Service and Political Economy, 1886****Diseased Meat in Ireland**

Q. Mr. Wolff, A. Mr. Jackson, 166

**District Councils**

Q. Mr. Gully, A. Mr. A. J. Balfour, 726

**DIXON-HARTLAND, Mr. F. D., Middlesex, Uxbridge**

Compulsory Fire Escapes, 951

**Dockyard Police**

Q. Mr. Cobb, A. Mr. Matthews, 696, 1282

**Donegal and Dublin Mails**

Q. Sir T. Esmonde, A. Sir J. Fergusson, 355

**Donegal Polling Stations**

Q. Mr. MacNeill, A. Mr. Jackson, 164

**Donegal Workhouse Nurse**

Q. Mr. MacNeill, A. Mr. Jackson, 163

**DORINGTON, Sir John E., Gloucester, Tewkesbury**

Small Agricultural Holdings Bill, 408

**DOUGLAS, RIGHT HON. A. AKERS (Patronage Secretary to the Treasury), Kent, St. Augustine's**

Corn Sales, Select Com. 592

London County Council (General Powers) Bill, Nomination of Select Com. 148'

Parliamentary Debates, Select Com.

Ordered, 1783; Nominated, 2020

Superannuation Select Com. 1929

Witnesses Protection Bill, Com. Nominated, 935

**Downey, Sergeant, Constable's Removal**

Q. Mr. McCartan, A. Mr. Jackson, 508, 717

**Downpatrick Workhouse Teacher**

Q. Mr. McCartan, A. Mr. Jackson, 349

**Drawback on British Spirits**

Q. Dr. Cameron, A. Mr. Goschen, 276

**Drimnin, Telegraphic Communication**

Q. Mr. Fraser-Mackintosh, A. Sir J. Ferguson, 345

**Drunkenness, Convictions for**

Q. Mr. Summers, A. Mr. S. Wortley, 825

**Dublin Barracks Improvement Bill**

c. Rep. from Select Com. Re-com. [No. 334], 484

Com. deferred, 594

Com. 807; Read 3<sup>o</sup>, and passed, 815

l. Read 1<sup>a</sup> (Earl Brownlow), 820

Read 2<sup>a</sup>, and com. 1427

Rep. and Re-com. 1509

**DUDLEY, Earl of**

Public Authorities Protection Bill, 1245, 1247

**DUNALLEY, Lord**

Took the Oath, 3 May, 1

**Dundalk and Enniskillen Mails**

Q. Mr. Jordan, A. Sir J. Gorst, 1894

**Dunfermline Hotel, Sunday Closing, 950****DYKE, RIGHT HON. Sir W. HART (Vice President of the Council for Education), Kent, Dartford**

Fee-Grant Calculations, 698, 699

Hersham School and Conscience Clause, 340

Macclesfield School Board, 692

Milton School Accommodation, 3

Public Meetings in Schoolrooms, 179

Stalybridge Schoolmasters, 188

Walton-on-Thames School Board, 718

**Eastbourne Improvement Act (1885) Amendment Bill**

c. Rep. from Select Com. 66

Com. considered, 1267-1281

**East India (Financial Statement)**

Copy moved for (Sir R. Temple), 935

**EBRINGTON, Viscount, Devon, Tavistock**

School Accommodation at Milton, 2

Small Agricultural Holdings Bill, 524, 683

**Ecclesiastical Commissioners and Tithe Rent Receipts**

Q. Mr. Morton, A. Sir J. R. Mowbray, 975

**Edinburgh and Leith Barracks**

Q. Dr. Clark, A. Mr. Brodrick, 186

Edinburgh Telegraph Staff  
Q. Mr. Wallace, A. Sir J. Fergusson, 155

### Education and Local Taxation Relief (Scotland) Bill [c. No. 208]

Com. 15, Amendts. Division, R.P. 61  
Com. 194, Amendts. Rep. [No. 332], 225

Education Code, 1892  
Her Majesty's Answer to Address, 1789

### EDUCATION DEPARTMENT

Lord President of the Council—*Viscount Cranbrook*

Vice President—*Right Hon. Sir W. Hart Dyke*

*Charges against Schoolmasters*, 188

*Conscience Clause, Hersham School*, 340

*Elementary Education (Blind and Deaf) Bill*, 937

*Fee-Grant Calculations*, 698

*Hersham School, Conscience Clause*, 340

*Macclesfield School Board*, 692

*Mitton School Accommodation*, 3

*Penalties for Non-attendance*, 1914

*Public Meetings in Schoolrooms*, 179

*Soldiers' Children, Catholic*, 354

*Stalybridge Schoolmasters*, 188

*Walton-on-Thames School Board*, 718

Education (Scotland)  
Return of Expenditure, &c. 1788

### Education (Scotland) Law Amendment Bill [c. No. 261]

2R. deferred, 662  
Again deferred, 1505

Egyptian Debt  
Q. Mr. W. Isaacson, A. Mr. J. W. Lowther, 1891

Eight Hours Bill  
Q. Mr. C. Graham, A. Mr. A. J. Balfour, 827

Electors in each Constituency, 1444

### Electors Qualification and Registration Bill [c. No. 38]

Debated, 1789; Read 2<sup>o</sup>, 1855  
Com. R.P. 2020

Electrical Engineer, Post Office  
Q. Mr. Labouchere, Mr. H. Heaton, A. Sir J. Fergusson, 1442

Electric and Cable Railways (Metropolis)  
*Lords Order as to Hearing Promoters*, 273

### Electric Lighting Provisional Orders

(No. 1) Bill [c. No. 271] Read 2<sup>o</sup>, 63  
Com. Rep. with Amendts. 815  
Read 3<sup>o</sup>, and passed, 935

(No. 2) Bill [c. No. 272] Read 2<sup>o</sup>, 63  
Com. Rep. without Amendt. 815  
Read 3<sup>o</sup>, and passed, 934

(No. 3) Bill [c. No. 273] Read 2<sup>o</sup>, 63  
Com. Rep. with Amendts. 815  
Read 3<sup>o</sup>, and passed, 935

### Elementary Education (Blind and Deaf) Bill

l. Pres. Viscount Cranbrook; Read 1<sup>a</sup>, 937  
Read 2<sup>a</sup>, and com. 1247

ELLIOT, Hon. A. R. D., *Roxburgh*  
Church of Scotland (Disestablishment, &c.), 1770  
Education and Local Taxation Relief Bill, 201

ELLIS, Mr. James, *Leicestershire, Bosworth*  
"Patent Office Journal," 1294  
Polynesian Labour in Queensland, 1890

ELLIS, Mr. John E., *Nottingham, Rushcliffe*  
Business of the House, 1308, 1533, 1535  
Intoxicating Liquors (Licences Refused) Return, 945  
Kew Gardens, 1297  
Land Purchase Act Returns, 956, 1516  
Polynesian Labour in Queensland, 972, 1123, 1515, 1985  
Standing Committee on Law, &c. 1466  
Superannuation Acts Amendment (No. 2) Bill, 258, 722, 724  
Telegraphs Bill, 1925

ELLIS, Mr. Thomas E., *Merionethshire*  
Birmingham Corporation, Water Bill, 1861, 1870, 1871, 1878  
Business of the House, 375, 730  
Financial Relations (England, Scotland, and Ireland), 807  
Ordnance Survey, Wales, 360  
Small Agricultural Holdings Bill, 395, 409, 410, 412, 414, 415, 423, 424, 426, 427, 522, 1151  
Standing Committee on Law, &c. 1457, 1460

ELPHINSTONE, LORD (Lord in Waiting)  
Mediterranean Naval Survey, 1656

English College Grants  
Q. Sir J. Lubbock, A. Mr. Goschen, 373

Enlistment of Boys in Army  
Q. Mr. P. O'Brien, A. Mr. Brodrick, 509; Q. Mr. Paulton, Major Rasch, A. Mr. Brodrick, 967

- Enniskillen Guardians and Public Health Act  
Q. Mr. Jordan, A. Mr. Jackson, 1658
- Erasmus Smith's Endowments  
Q. Mr. Johnston, A. Mr. Jackson, 1293
- Erne, Lough, Drainage of, 983
- ESMONDE, Sir T. G., *Dublin Co., S.*  
Ardfert, Telegraph for, 358  
Chicago Exhibition and Ireland, 1920  
Connaught Rangers in Ireland, 1445  
Consols Exchange for Land Stock, 869  
Donegal Mails *via* Dublin, 355  
Education of Soldiers Children, 354  
Excise Officers Salaries, 1910  
Fenit, Telegraph Station for, 358  
Gibraltar Expenditure, 363  
Londonderry Telegraphic Staff, 352  
Louisburg Communication, 1290  
Revising Barristers in Ireland, 714  
Uganda, Reported Massacre, 1911
- ESSLEMONT, Mr. P., *Aberdeen, E.*  
Burgh Police and Health (Scotland) Bill, 316, 324, 329, 332, 333, 1155, 1159, 1162  
Education and Local Taxation Relief Bill, 15, 20, 39, 59, 60, 198  
Post Office Financial Secretary, 947  
Roads and Bridges (Scotland) Bill, 61, 62, 1083  
Scotch Prison Officials, 344, 972  
Small Agricultural Holdings Bill, 396, 397, 400, 439, 443, 446, 538, 544, 746, 849, 850, 856
- Estreatment of Recognizances  
Q. Mr. McCartan, A. Mr. Jackson, 707
- EVANS, Mr. Francis H., *Southampton*  
Newfoundland Convention, 370, 709  
Ordnance Survey, 360
- EVANS, Mr. Samuel T., *Glamorgan, Mid*  
Birmingham Water Bill, 1875  
Business of the House, 730  
Financial Relations (England, Scotland, and Ireland), 795, 807  
Intermediate Education (Wales) Bill, 334  
Small Agricultural Holdings Bill, 415, 435  
Standing Committee on Law, &c. 1455, 1459  
Superannuation Acts Amendment (No. 2) Bill, 233, 248
- Evictions, Land Purchase Act  
Q. Mr. W. O'Brien, A. Mr. Jackson, 341; *in Mayo*, Q. Mr. W. O'Brien A. Mr. Jackson, 980; *Tearna*, Q. Mr. W. O'Brien, A. Mr. Jackson, 1902
- Evidence in Criminal Cases Bill [c. No. 228]  
Order for Com. discharged; com. to Standing Com. on Law, &c. 284-311
- Excise Officers' Examinations  
Q. Mr. Kelly, A. Sir J. Gorst, 821; *Salaries*, Q. Sir T. Esmonde, A. Mr. Goschen, 1910
- Excursion Train Accidents, 1922
- Explosives Committee  
Q. Mr. Baumann, A. Mr. Brodrick, 711
- EYRE, Colonel H., *Lincolnshire, Gainsborough*  
Small Agricultural Holdings Bill, 378, 379, 443, 733
- Factory Clause, Government Contract  
Q. Mr. J. Rowlands, A. Mr. Brodrick, 1520
- Fairnboy Bay, Proposed Pier  
Q. Mr. Jordan, A. Mr. Jackson, 1290
- FARQUHARSON, Dr. Robert, *Aberdeenshire, W.*  
Access to Mountains Bill, 140, 1927  
Business of the House, 373, 1535  
Education and Taxation Relief Bill, 48, 222, 224  
Glasgow Police Bill, 1099  
Medical Officers, Army and Navy, 11  
National Gallery, 176  
St. George's Barracks, 13  
Skene School Board, 355  
Small Agricultural Holdings Bill, 448, 854  
Universities Ordinances (Scotland), 454
- Fee-Grant Calculations  
Q. Viscount Cranborne, A. Sir W. H. Dyke, 697
- Fenit Telegraphic Communication  
Q. Sir T. Esmonde, A. Sir J. Fergusson, 358
- FENWICK, Mr. C., *Northumberland, Wansbeck*  
Petroleum in Suez Canal, 1906
- FERGUSON, Mr. R. C. Munro, *Leith, &c.*  
Burgh Police and Health (Scotland) Bill, 322  
Education and Taxation Relief (Scotland) Bill, 24, 42  
Small Agricultural Holdings Bill, 548, 852
- Fergus River Obstructions  
Q. Mr. Cox, A. Sir J. Gorst, 979, 1307
- FERGUSON, RIGHT HON. SIR JAMES (Postmaster General), *Manchester, N.E.*  
Aberdeen Night Mails, 1918  
American Mails, 1514  
Ardfert Telegraph Station, 359  
Ballinamore Postal Service, 1289  
Ballymore Postal and Telegraphic Service, 1286, 1287  
Belfast Postal Delivery, 352



**FERGUSSON, Right Hon. Sir James—cont.**

Central African Posts, 508  
City Postal Delays, 343  
Cork Mails Acceleration, 10, 364  
Donegal and Strabane Mails, 355  
Drimnin, Telegraph to, 345  
Edinburgh Telegraph Staff, 155  
Electrical Engineer's Service, 1442, 1443  
Fenit, Telegraph for, 353  
Financial Secretary's Holidays, 948  
Glasgow Postmen's Wages, 1431  
Knockananna, Letters for, 1296  
Letter Boxes, Cost to Sub-Offices, 1518, 1519  
Letters Re-directed by Officials, 274  
Londonderry Telegraphic Staff, 352  
Macroon Post Office, 10  
Parliamentary Papers Free, 716, 1515  
Postal Order Regulations, 1297, 1298  
Post Cards, Size of, 728; Plain Cards, 1910  
Post Office Act (1891) Amendment Bill,  
Intro. 1586, 1783, 1784  
Post Office Act (1891) Extension Bill, Intro.  
1927  
"Post Office London Directory," 153  
Preece, Mr., Services of, 1443  
Provincial Post Office Assistance, 953  
Rathvilly Telegraph Guarantee, 714  
Re-direction of Letters, 716  
Registered Letters, Numbers, 1513  
Special Telegraph Duty, 349  
Sunday Labour, Dublin Office, 949  
Sunday Mails from London, 278, 716  
Telegrams Divulged, 154  
Telegraph Clerks, Whit Monday, 1302;  
Central Office Promotion, 1431  
Telegraphic Charges, 1910  
Telegraphs Bill, Intro. 1926  
Telephone, &c., Legislation, 1437  
Transatlantic Mails, Rival Routes, 1514  
Wexford Mail Service, 1301, 1432, 1517  
Woodford and Whitegate Posts, 353

**FIELD, Admiral E., Sussex, Eastbourne**  
Eastbourne Improvement Act (1885) Amend-  
ment Bill, 1267, 1279, 1280  
Warrant Officers' Daughters, 1905

**Financial Relations of England, Scot-  
land, and Ireland**

Notice of Motion, Mr. Goschen, 193  
Q. Dr. Clark, Mr. T. W. Russell, Mr. Sexton,  
A. Mr. A. J. Balfour, 283  
Motion for Select Committee, 794-807

**Financial Secretary, Post Office**  
Q. Mr. Esslemont, A. Sir J. Fergusson, 947

**Fines, Medicine Stamp Acts**  
Q. Mr. H. S. Wright, A. Mr. Matthews,  
1438

**FINLAY, Mr. R. B., Inverness, &c.**  
Church of Scotland (Disestablishment and  
Disendowment), 1748, 1782  
Education and Local Taxation Relief Bill,  
207, 223

**Finn's, Sergeant, Pension**  
Q. Colonel Nolan, A. Mr. Brodrick, 1883

**Fire Escapes, Compulsory**  
Q. Mr. Dixon-Hartland, A. Mr. Matthews,  
951

**Firemen, Policemen as, 357**

**Fisheries (Oyster, Crab, and Lobster)  
Act (1877) Amendment Bill** [c. No.  
366]

Intro. Sir E. Birkbeck; Read 1<sup>o</sup>, 1640

**Fishermen on Shannon, 950, 1124**

**Fishery Harbour Loans**  
Q. Mr. Mallock, A. Mr. Goschen, 710

**Fitzgerald, Mr., and Forged Votes**  
Q. Mr. P. O'Brien, A. Mr. Jackson, 727

**FITZWYGRAM, General Sir F. W., Hants,  
Fareham**  
Army (Courts Martial) Return, 1085

**FLAVIN, Mr. Martin, Cork**  
Margarine Act (1877) Amendment Bill, 64

**FLYNN, Mr. J. C., Cork, N.**  
Doneraile Petty Sessions Clerk, 1524  
Humphreys, Father, Tipperary, 1665, 1914  
Local Government (Ireland) Bill, 1688  
Transatlantic Mails, 1514

**Foot-and-Mouth Disease**  
*Essex and Herts*, Q. Mr. Gardner, A. Mr.  
Chaplin, 8  
*Perth*, Q. Sir J. Kinloch, A. Mr. Chaplin,  
1433  
*Railway Regulations*, Q. Viscount Cran-  
borne, A. Mr. Chaplin, 966

## **FOREIGN AFFAIRS**

Secretary of State—*Marquess of Salisbury*  
Under Secretary of State—*Mr. J. W.  
Lowther*  
*African (Chartered) Companies, Resident  
Inspectors*, 1437, 1525  
*Brazil—British Emigrants*, 1443; *British  
Trade*, 1884  
*Delagoa Bay Railway Company*, 511  
*Diplomatic Service and Political Economy*,  
1886  
*Egyptian Debt Conversion*, 1891  
*Hamburg, Imprisonment of Captain Jones*,  
1294  
*M'Kinley Tariff Report*, 823  
*Morocco, British Embassy in*, 277  
*North Sea Fisheries*, 696  
*Persian Tobacco Concession*, 1521, 1659,  
1904, 1944-1961  
*Shire District and Lake Nyassa*, 14  
*Spanish Tariffs*, 830, 1447

*[cont.]*

**FOREIGN AFFAIRS**—cont.

*Suez Canal, Petroleum in*, 719, 964, 1120, 1299, 1906

*Uganda, Troubles in*, 1305, 1911

*United States and Newfoundland*, 709

**Foreigners in Great Britain**

Q. Mr. Montagu, A. Mr. Ritchie, 278; Q. Colonel H. Vincent, A. Mr. A. J. Balfour, 279

**Forestry in Ireland**

Q. Mr. Harrison, A. Mr. Jackson, 13, 184

**Forged Transfers Bill** [l. No. 114]

Pres. Lord Halsbury; Read 1<sup>a</sup>, 1089

**Forged Voting Papers**

Cork Board of Guardians, 727, 1292

Medway Board of Guardians, 160

**FORWOOD, Right Hon. A. B. (Secretary to the Admiralty), Lancashire, Ormskirk**

Australian Mails, 1114

Birmingham Corporation Water Bill, 1882

H.M.S. "Sultan," 720

Lisburn Post Office, 1113

Municipal Corporations Act Amendment Bill, 616, 621, 641, 653

Naval Reserve Station, Tramore, 282

**FOSTER, Sir B. Walter, Derby, Ilkeston**

Lindsey Lincolnshire Charities, 5

National Gallery Pictures Loaned, 1444

Small Agricultural Holdings Bill, 395, 396, 407, 412, 440, 441, 445, 521, 1150, 1151

**FOWLER, Right Hon. H. H., Wolverhampton, E.**

Business of the House, 729, 1925

Eastbourne Improvement Act (1885) Amendment Bill, 1271, 1272

Evidence in Criminal Cases Bill, 310

New Coinage, 1523

Prison Clothes, Salvationists, 189

Prisoners Wearing own Clothes, 351

Railway Rates, 1885

Small Agricultural Holdings Bill, 877, 1147

Superannuation Acts Amendment (No. 2) Bill, 236, 246, 254, 725, 1310

Ways and Means, 1061, 1074

**Franchise and Poor Law Relief**

Q. Sir H. Havelock-Allan, Mr. Brunner, Sir W. Lawson, A. Mr. Ritchie, 6

**FRASER, Lt.-General Sir Charles C., Lambeth, N.**

Superannuation Acts Amendment (No. 2) Bill, 1309

**Freeman, David, Pension of**

Q. Mr. Mildmay, A. Lord G. Hamilton, 181

**Free Postage, Parliamentary Papers**  
Q. Mr. Leng, A. Sir J. Fergusson, 1515**Free Quarters, Dockyard Police**, 696, 1282**French Shore Bill, Newfoundland**, 1119**Friendly Societies' Stamp Duty**, 148**FULLER, Mr. G. P., Wilts, Westbury**  
Small Agricultural Holdings Bill, 739**FURNESS, Mr. C., Hartlepool**  
Railway Rates, &c. (North Eastern, &c.) Bill, 485, 489**Gallows Hills, Carrickmacross**  
Q. Mr. P. O'Brien, A. Mr. Madden, 510**Galway County Infirmary**  
Q. Mr. Pinkerton, A. Mr. Jackson, 822**Galway Infirmary Bill** [c. No. 350]

Intro. Mr. Jackson; Read 1<sup>o</sup>, 936

Read 2<sup>o</sup> and com. 1633

Com. to Select Com. 1785

**GALWAY, Viscount**  
Yeomanry Cavalry, 1641**GARDNER, Mr. Herbert, Essex, Saffron Walden**

Business of the House, 1534

Foot-and-Mouth Disease, 8

Pleuro-Pneumonia Orders, 515

Public Meetings in Schoolrooms, 179

Small Agricultural Holdings Bill, 411, 434, 435, 442, 739

**Gas Provisional Orders Confirmation Bill**

[c. No. 295]

Read 2<sup>o</sup>, and com. 663

Rep. with Amendts. 1407

Considered as Amended, 1506

Read 3<sup>o</sup>, and passed, 1639

**Gas-Still Licences**, 1126**GATHORNE-HARDY, Hon. A. E., Sussex, East Grinstead**

Small Agricultural Holdings Bill, 736, 754, 859, 1139

**GEDGE, Mr. Sydney, Stockport**  
Birmingham Corporation Water Bill, 1862, 1869, 1878  
Small Agricultural Holdings Bill, 447  
Ways and Means, 1057**General Post Office Erection**  
Q. Mr. Cremer, A. Mr. Plunket, 973

Geological Surveys, Wales and Ireland  
Q. Mr. P. Morgan, A. Mr. Goschen, 720

Gibraltar Sanitary Board

Q. Mr. Causton, Mr. Summers, A. Baron H. de Worms, 185; Q. Mr. Causton, Mr. M'Lagan, Sir T. Esmonde, A. Baron H. de Worms, 361, 363

GLADSTONE, Mr. Herbert, *Leeds, W.*  
Local Government (Ireland) Bill, 1393

GLADSTONE, Right Hon. W. E., *Edinburgh, Midlothian*

Business of the House, 191, 729, 1933  
Local Government (Ireland) Bill, 1843, 1691, 1712, 1718, 1719, 1721, 1722, 1726, 1727  
Small Agricultural Holdings Bill, 390  
Standing Committee on Law, &c. 1454

Glasgow Police Bill

c. Consideration, 1095, New Clause Read 2<sup>o</sup>, 1112

Glasgow Postmen's Wages

Q. Earl Compton, A. Sir J. Fergusson, 1431

Glass Bottles, Foreign-Made

Q. Mr. Seton-Karr, A. Sir M. H. Beach, 1529

Glencolumbkille Polling Station

Q. Mr. O'Hanlon, A. Mr. Jackson, 958

Glenties Railway

Q. Mr. O'Hanlon, A. Sir J. Gorst, 957

Gold Coast Political Prisoners

Q. Mr. J. O'Connor, A. Baron H. de Worms, 1114

Gold Mining Royalties

Q. Mr. McDonald Cameron, Mr. J. O'Connor, Mr. P. Morgan, A. Mr. Goschen, 168, 170, 171

GOLDSWORTHY, Major-General W. T., *Hammersmith*

Electors Qualification and Registration Bill, 1802, 1807

GORST, RIGHT HON. SIR JOHN E.  
(Secretary to the Treasury), *Chatham*

Admiralty Contract for Serge, 1301  
Advances, Irish Board of Works, 352  
Business of the House, 1535, 1640, 1856, 1925  
Catholic Prison Chaplains, 5, 276  
Curragh, Right of Way, 962  
Customs Officials, Exams. for, 517  
Enniskillen Mails, Delay in, 1894  
Excise Officers Exams. 821  
Fergus River Obstructions, 980, 1307  
Glenties Railway, 957  
Government Contracts Return, 342

GORST, Right Hon. Sir John E.—*cont.*

Inland Revenue Supervisors, 1436  
Isle of Man (Customs) Bill, 1640  
Land Purchase Act Returns, 956, 1516  
Lough Erne Drainage, 983  
National Gallery Picture Loans, 1444  
Parcel Post Baskets, 1891  
Parliamentary Deposits and Bonds, 1167  
Parliamentary Papers, 515  
Pensions to Medical Officers, 367  
Postmen's Badges, Distribution, 1900  
Post Office Assistants, Ireland, 1893  
Provincial Postal Inspectors, 1901  
Scotch Prison Officials, 344  
Seed Rate Collection, 983  
Superannuation Acts Amendment (No. 2) Bill, 227, 229, 230, 231, 233, 240, 241, 245, 247, 249, 250  
Tramore Fishing Pier, 283  
Woods and Forests Office Clerks, 1439

GOSCHEN, RIGHT HON. G. J. (Chancellor of the Exchequer), *St. George's, Hanover Square*

Bonded Warehouses, Number of, 958  
British Columbia Colonisation, 834, 835  
Business of the House, 1534  
Coal Gas Stills, 1126  
Coinage, New Designs, 828, 1523  
Consols and Land Stock, 370  
Customs and Inland Revenue Bill, 1635, 1636, 1637, 1638, 2005, 2009, 2014, 2017  
Customs Officers Memorials, 186  
Cyprus Tribute, 1283  
Drawback on British Spirits, 276  
English College Grants, 373  
Excise Officers Salaries, 1910, 1911  
Financial Relations Committee, 193, 794, 802, 805  
Geological Surveys, Ireland and Wales, 721  
Glasgow, Stamping Bills at, 720  
Gold Mining Royalties, 168, 170, 171, 172, 280  
"Grogging" Spirit Casks, 952  
Inland Revenue Officers Grievances, 1128  
Irish Fishery Harbour Loans, 710  
Irish Loans and Post Office Deposits, 1897  
Land Commissioners (Ireland) Salaries, 2019  
Licensing Clubs and Public-houses, 1899  
National Debt (Conversion of Exchequer Bonds), 2018  
Personal Explanation, Mr. Morgan's, 190  
Plural Voting Abolition Bill, 1236  
Post Office Deposits, Ireland, 1897  
Revenue Officers and Agricultural Returns, 703  
Silver Currency Conference, 824  
Stamp Duty and Friendly Societies, 148  
Superannuation Acts Amendment (No. 2) Bill, 263  
Ways and Means, Com. 992, 1013, 1015, 1019, 1021, 1066, 1067, 1068, 1073, 1081, 1083

GOURLEY, Mr. E. T., *Sunderland*

Lewes Naval Prison, 157  
"Royal Sovereign," Speed, &c., 156

Government Contracts Return

Q. Mr. Buxton, A. Sir J. Gorst, 342

- GOWER, Mr. G. G. Leveson-, *Stoke-upon-Trent*  
 Manchester, Sheffield, and Lincolnshire Railway (Extension to London, &c.) Bill, 688  
 Political Economy and Diplomatic Service Examinations, 1886
- GRAHAM, Mr. R. Cuninghame, *Lanark, N.W.*  
 African Companies Privileges, 1487, 1525  
 Customs, Salaries in, 1526, 1924  
 Eight Hours Bill, 827  
 Hyde Market, Meetings on, 1917  
 Local Authorities (Purchase of Land) Bill, 107—Suspension, 108  
 Metropolitan Police Inspectors Retiring Fund, 1901  
 Persian Tobacco Concession, 1522  
 Polynesian Labour, 972, 1516, 1888, 1889  
 Official Residents for Africa, 1526  
 Soldiers and Shops, 1901  
 Standing Committee on Law, 1463  
 Supply—Colonial Vote, 2000
- GRANBY, Marquess of, *Leicestershire, Melton*  
 Reckless Bicycle Riding, 275
- Grandborough, Sanitary Condition  
 Q. Mr. Leon, A. Mr. Stuart Wortley, 1671
- Grants, English Colleges, 373
- GRAY, Mr. C. W., *Essex, Maldon*  
 Illiterate Voters, 904  
 Small Agricultural Holdings Bill, 527, 739, 851, 855, 858
- Greenock Parochial Board  
 Q. Dr. Cameron, A. Sir C. J. Pearson, 693
- Greenwich Hospital Pensions  
 Q. Admiral Mayne, A. Lord G. Hamilton, 978; Q. Colonel Hughes, A. Mr. Ashmead-Bartlett, 1445
- GREY, Sir E., *Northumberland, Berwick*  
 Local Authorities (Purchase of Land) Bill, 117, 130
- GRIMSTON, Viscount, *Herts, St. Alban's*  
 Return of Still Births, &c. 483
- Grog Boats, North Sea, 695
- "Grogging" Spirit Casks  
 Q. Mr. C. Corbett, A. Mr. Goschen, 952
- GROTRIAN, Mr. F. B., *Hull, E.*  
 Petroleum in the Suez Canal, 1120
- Guardians' and Vestrymen's Qualification  
 Sir W. Plowden, A. Mr. Ritchie, 712
- GULLY, Mr. W. C., *Carlisle*  
 District Councils, 726  
 Small Agricultural Holdings Bill, 856
- Gunboats for Lake Nyassa  
 Q. Sir A. Borthwick, A. Lord G. Hamilton, 828
- Gunnery Drill Ship, Sheerness  
 Q. Mr. H. Knatchbull-Hugessen, A. Lord G. Hamilton, 1900
- Gunnery Trials, "Royal Sovereign"  
 Q. Admiral Mayne, A. Lord G. Hamilton, 979
- GUNTER, Colonel R., *Yorkshire, W.R., Barkstone Ash*  
 Small Agricultural Holdings Bill, 891
- GURDON, Mr. R. T., *Norfolk, Mid*  
 Small Agricultural Holdings Bill, 735
- HALDANE, Mr. R. B., *Haddington*  
 Ceylon Grain Tax, 1919  
 Glasgow Police Bill, 1111  
 Local Authorities (Purchase of Land) Bill, 66, 89, 128, 131, 133  
 Small Agricultural Holdings Bill, 393, 431, 444, 446, 525, 534, 539, 734, 751, 768, 781, 782, 790, 862, 878, 882, 1134, 1147, 1148, 1149  
 Universities Ordinances (Scotland), Reso. 449
- HALSBURY, LORD (Lord Chancellor)  
 Companies (Certificate of Incorporation) Bill, 1249  
 Conveyancing, &c. Act Amendment Bill, 667, 677  
 Forged Transfers Bill, pres. 1089  
 Jury Service of Volunteers, 1424  
 Public Authorities Protection Bill, 1245  
 Water Companies (Regulation of Powers) Bill, 1414
- HAMILTON, RIGHT HON. LORD  
 GEORGE F. (First Lord of the Admiralty), *Middlesex, Ealing*  
 Freeman, David, Service of, 181  
 Greenwich Hospital Pensions, 978  
 Gunboats, Zambesi and Lake Nyassa, 829  
 Gunnery Drill Ship, Sheerness, 1900  
 Gunnery Trials, H.M.S. "Royal Sovereign," 979  
 Lewes Naval Prison, 157  
 Medical Officers and Medical Schools, 11  
 Morgan, Andrew, Widow of, 1892  
 Naval Knights of Windsor Bill, Intro. 1309, 1508  
 Petroleum in Suez Canal, 965  
 Rations Allowed, and Served Out, 158  
 Return of Effective Ships, 187  
 "Royal Sovereign" Engines and Engine-room Complement, 155, 156; Gunnery Trials, 979  
 Sheerness Dockyard, 182  
 Sheerness Dredging and Fisheries, 11  
 Warrant Officers Daughters, 1905



Hampstead Heath Station Accident  
Q. Mr. B. Hoare, A. Sir M. H. Beach, 162

HANBURY, Mr. R. W., *Preston*  
Railway Rates, &c. (North Eastern, &c.)  
Bill, 487, 493, 494, 505

Handley, Fire at  
Q. Mr. Sturt, Mr. Hulse, A. Mr. Brodrick,  
1532

Harberton, Lady, Sales of Holdings  
Q. Mr. Lea, Mr. McCartan, Mr. Pinkerton,  
A. Mr. Jackson, 699

HARCOURT, Right Hon. Sir W. G. V.,  
*Derby*  
Customs and Inland Revenue Bill, 2008  
Electors Qualification and Registration Bill,  
1840  
Local Government (Ireland) Bill, 1348, 1689,  
1727  
Plural Voting Abolition Bill, 1243  
Small Agricultural Holdings Bill, 735, 865,  
868  
Ways and Means, 996, 1023, 1024, 1025,  
1026, 1034, 1036, 1040

HARRINGTON, Mr. Timothy C., *Dublin,*  
*Harbour Division*  
Illiterate Voters, 908, 913, 914  
Steam Trawling, Irish Waters, 965  
Veterinary Inspectors, 963

HARRISON, Mr. H., *Tipperary, Mid*  
Advances by Irish Board of Works, 352  
British Embassy in Morocco, 277  
Judgment Summonses, 368  
Paupers over 60, Work of, 277  
Re-afforestation of Galway, 13, 184

HAVELOCK-ALLAN, Lt.-General Sir  
Henry M., *Durham, S.E.*  
Franchise and Poor Law Relief, 6

Hawkshaw, Rev. E. B., Case of  
Q. Mr. Cobb, A. Mr. Matthews, 354, 1530

HAYDEN, Mr. L. P., *Leitrim, S.*  
Curragh Right of Way, 961  
Maguire, Colonel, 979  
Meeting at Inniscarra, 960  
Ordnance Survey Employees, 962  
Pleuro-Pneumonia and Inoculation, 963  
Poor Law Medical Officers, 964  
Roscommon Extra Police, 1435

HAYNE, Mr. Charles Seale-, *Devon,*  
*Ashburton*  
Militia Officers' Mess Allowance, 179  
Small Agricultural Holdings Bill, Amendts.  
375, 384, 392, 518, 519, 769, 863, 872

HEALY, Mr. Thomas J., *Wexford, N.*  
Local Government (Ireland) Bill, 1479  
Wexford Post Office, 1432

HEALY, Mr. Timothy M., *Longford, N.*  
Birmingham Corporation Water Bill, 1873  
Business of the House, 1673  
Consols and Land Stock, 369, 370  
Customs and Inland Revenue Bill, 1636,  
1637, 1638, 2010, 2015, 2016, 2017, 2018  
Dublin Barracks Improvement Bill, 808, 810,  
812, 813, 814, 815  
Galway Infirmary Bill, 1633  
Land Commissioners (Ireland) Salaries,  
2019  
Local Government (Ireland) Bill, 1553, 1556,  
1560, 1565, 1626, 1628, 1630, 1632, 1640,  
1715, 1720, 1722, 1726  
London Companies Irish Estates, 514  
Municipal Corporations Act (1882) Amend-  
ment Bill, 662  
Ordnance Survey, 360  
Parliamentary Debates Select Com. 1783  
Persian Tobacco Concession, 1523  
Polynesian Labour in Queensland, 1962  
Post Office Act (1891) Amendment Bill, 1536,  
1784  
Post Office Act (1891) Extension Bill, 1927  
Prisoners Wearing Own Olothes, 351  
Richmond Prison, Dublin, 1665, 1912, 1914  
Seabrooke, Sergeant, Charges against, 1663,  
1664  
Tullamore Gaol, 1662  
Waterford Constabulary, 1661  
Wexford Mails, 1516

HEATON, Mr. J. Henniker, *Canterbury*  
Australian Mails, 1113  
Electrical Engineer, Post Office, 1442  
London County Council (Tramways) Bill  
1510  
Registered Letters, 1513

HENEAGE, Right Hon. Edward, *Great*  
*Grimsby*  
Electors Qualification and Registration Bill,  
1811  
Manchester, Sheffield, and Lincolnshire  
Railway (Extension to London, &c.) Bill,  
690  
North Sea Fisheries Convention, 695  
Small Agricultural Holdings Bill, 528, 593,  
594, 736, 743, 762, 770, 848, 880

Herring Fisheries  
Q. Dr. McDonald, A. Sir C. J. Pearson, 283

HERSCHELL, Lord  
Companies (Certificate of Incorporation)  
Bill, 1248, 1251  
Conveyancing and Law of Property Act  
(1881) Amendment Bill, 665, 666, 667, 671,  
1089  
Sale of Goods Bill, 1093  
Water Companies (Regulation of Powers)  
Bill, 1410, 1414, 1415, 1416

Hersham School Conscience Clause  
Q. Mr. Cubitt, A. Sir W. H. Dyke, 340

Highlands Improvement Wor s

**HILL, RIGHT HON. LORD ARTHUR W.**  
(Comptroller of the Household),  
*Down, W.*  
Education Code, 1892—Her Majesty's  
Answer to Address, 1789

**HILL, Mr. A. Staveley, Staffordshire,**  
*Kingswinford*  
Small Agricultural Holdings Bill, 419

**HILL, Colonel E. S., Bristol, S.**  
Railway Rates, &c. (North Eastern) Bill,  
496

**HOARE, Mr. E. Brodie, Hampstead**  
Hampstead Railway Station, 162

**HOARE, Mr. S., Norwich**  
Policemen as Firemen, 357

**HOBHOUSE, Mr. H., Somerset, E.**  
Small Agricultural Holdings Bill, 848, 853,  
862, 863, 873, 874, 878, 884

**HOLDEN, Mr. Edward T., Walsall**  
Electors Qualification and Registration Bill,  
1820, 1838  
Kew Gardens, 1296  
Postal Order Regulations, 1297

## HOME OFFICE

Secretary of State—*Right Hon. H. Matthews*  
Under Secretary of State—*Mr. C. B. Stuart*  
*Wortley*

*Alien Pauper Lunatics*, 1916  
*Betting Prosecutions*, 4  
*Bicycle Riding, Reckless*, 275  
*Borough Boundaries*, 371  
*Chatham Prison Convicts*, 1127  
*Drunkenness Convictions*, 825  
*Fire Escapes, Compulsory*, 951  
*Glasgow Police Bill*, 1107  
*Hawkshaw, Rev. E. B., and M.A. Degree*,  
354, 1530  
*Hughes, Lemuel, Assault on*, 707  
*Hyde Market, Meetings on*, 1917  
*Industrial Schools, Scotland*, 1515  
*Inebriates Acts Committee*, 697  
*Intoxicating Liquors, Licences Refused*, 945  
*Kingston-on-Thames Licences*, 967  
*London Street Accidents*, 831, 1528  
*Lyons, Lewis, Conviction of*, 718, 959  
*Magistrates Decisions*, 1300  
*Manchester Stipendiary and Pendlebury*  
*Colliers*, 1899  
*Maybrick, Mrs., New Facts*, 1661  
*Medicine Stamp Acts, Fines*, 1438  
*Municipal Corporations Act (1882) Amend-*  
*ment Bill*, 654  
*Penalties under Education Acts*, 1915  
*Petroleum Storage*, 1129  
*Pigeons, Shooting of*, 1303  
*Poaching in Forest of Dean*, 9

## HOME OFFICE—cont.

*Police—as Firemen*, 357; *Dockyards*, 696,  
1282; *Metropolitan Inspectors Retiring*  
*Fund*, 1901; *Voting at Vestry Elections*,  
372, 962; *Returns Bill*, 2022  
*Police and Sanitary Regulations Bills*, 1508  
*Prisons—Births in*, 348; *Clothing, Salva-*  
*tionists*, 189; *Members Right to Visit*,  
1437; *Warders Pay, &c.* 1441  
*Revolver Licences*, 512, 1513  
*Sale of Liquors to Children*, 715  
*Sanitary Condition of Grandborough*, 1672  
*Statutes of 1882, Reprinting*, 1287  
*Vaccination—Commission*, 1517; *Mr. Hum-*  
*phrey's Fines*, 1304  
*Volunteers and Honorary Membership of*  
*Clubs*, 366

## Horse Breeding in Ireland

Q. Mr. McCartan, Mr. W. Abraham, A. Mr.  
Jackson, 346; Q. Mr. Pinkerton, Mr.  
Knox, A. Mr. Jackson, 974

## Horse Guards—Typhoid Fever

Q. Earl of Arran, A. Earl Brownlow, 1427

## HOULDSWORTH, Sir William H., Man-

*chester, N.W.*  
Watermen's and Lightermen's Company  
Bill, 1856

## Housing of Working Classes, Scotland

Q. Mr. Keay, A. Sir C. J. Pearson, 1129

## HOWARD, Mr. J., Middlesex, Tottenham

Alexandra Palace and Grounds Bill, 941  
Polynesian Labour, Queensland, 175

## HOZIER, Mr. J. H. C., Lanarkshire, S.

Bills of Exchange, Stamping of, 719  
Education and Local Taxation Relief Bill,  
20, 36

## HUGHES, Colonel E., Woolwich

Greenwich Hospital Age Pensions, 1445

## Hughes, Lemuel, Assault on

Q. Mr. S. Smith, A. Mr. Matthews, 707

## HULSE, Mr. E. H., Salisbury

Fire at Handley, 1532

## Humphreys, Father, of Tipperary

Q. Mr. Flynn, A. Mr. Jackson, 1665, 1914

## Humphreys, F., Vaccination Fine,

1304

## HUNTER, Sir W. Guyer, Hackney,

*Central*  
Medical Officers in India, 1287

**HUNTER, Mr. W. A., Aberdeen, N.**

Burgh Police and Health Bill, 330, 332, 1165

Education and Taxation Relief (Scotland) Bill, 21, 57, 59, 60, 194, 202, 212, 213, 217, 224

Persian Tobacco Concession, 1958

Railway Rates, &c. (North Eastern) Bill, 494

Supply—Linlithgow Palace, 1939

Universities (Scotland) Ordinances, 478

Ways and Means, 1047

**Hurricane in Mauritius, 1446, 1660**

**Hyde Market, Meetings on**

Q. Mr. C. Graham, Mr. J. W. Sidebottom, A. Mr. Stuart Wortley, 1917

**Illegal Fishing, Bandon River**

Q. Dr. Tanner, A. Mr. Jackson, 168

**Immigration of Foreigners, 826**

**Imprisonment of Captain Jones**

Q. Mr. J. Chamberlain, A. Mr. J. W. Lowther, 1294

**Improvement Works, Highlands**

Q. Mr. A. Sutherland, A. Sir C. J. Pearson, 512

## INDIA

Secretary of State—*Viscount Cross*

Under Secretary of State—*Hon. G. N. Curzon*

*Behar, Cadastral Survey in*, 1118, 1432, 1895

*Madras Presidency, Economic Condition of*, 1660

*Medical Officers in India*, 1287

*Pariah Population, Southern India*, 978

*Salaries — High Officials*, 180; *School Inspectors*, 1896

**Indian Councils Act (1861) Amendment Bill** [c. No. 182]

Com. Rep. without Amendt. 311

Read 3<sup>d</sup>, and passed, 1930

**Indian School Inspectors' Salaries**

Q. Sir R. Lethbridge, A. Mr. Curzon, 1896

**Industrial Schools Acts, &c. 1252, 1256**

**Industrial Schools in Scotland**

Q. Mr. Leng, A. Mr. Matthews, 1515

**Inebriates Acts Committee**

Q. Mr. Kimber, A. Mr. Matthews, 697

**Infants (Betting and Loans) Act**

Q. Mr. Robertson, A. Sir R. Webster, 827

**Inland Revenue Officers**

Q. Mr. P. O'Brien, A. Mr. Goschen, 1128

**Inland Revenue Supervisors, 1436**

Q. Mr. Cox, A. Sir J. Gorst, 1436

**Inniscarra Proclaimed Meeting, 960**

**Inoculation and Pleuro-Pneumonia**

Q. Mr. Hayden, A. Mr. Jackson, 963

**Inspectors of Irish Fisheries**

Q. Dr. Tanner, A. Mr. Jackson, 713

**Intercommunication, Army and Navy**

Q. Sir J. Colomb, A. Mr. Brodrick, 1511

**Intermediate Education (Wales) Bill**

[c. No. 215]

2R. deferred, 334

**Intoxicating Liquors (Ireland) Bill**

Q. Mr. Lea, Mr. Jordan, Sir W. Lawson, A. Mr. A. J. Balfour, 1440

**Intoxicating Liquors (Licences Refused)**

Q. Mr. J. Ellis, A. Mr. S. Wortley, 945

**Invalid Nominations for Guardians**

Q. Mr. Macartney, A. Mr. Jackson, 1281

## IRELAND

Lord Lieutenant—*Earl of Zetland*

Chief Secretary to the Lord Lieutenant—*Right Hon. W. L. Jackson*

Attorney General — *Right Hon. D. H. Madden*

*Army and Navy*

*Ballincollig Powder Barrels*, 516

*Curragh Right of Way*, 511, 962

*Dublin Barracks Improvement Bill*, 484, 807

*Irish Regiments, Home Service*, 1445

*Londonderry Barracks*, 1905, 1916

*Naval Reserve Station, Tramore*, 282

*Education*

*Erasmus Smith Endowments*, 1298

*Irish Education Return*, 14

*Political Economy, School Books*, 177

*School Superintendents Pay*, 178

*School Teachers Capitation Grant*, 1295

*Fisheries*

*Bandon River Illegal Fishing*, 168

*Fergus River Obstructions*, 980, 1307

*Fisheries Inspector's Report*, 713

*Fishery Harbour Loans*, 710

*Limerick Fishermen and Bailiffs*, 950, 1125, 1295

[cont.]

**IRELAND—Fisheries—cont.***Shannon Fishermen, Nets, &c.* 714*Steam Trawling, Irish Waters,* 965*Tramore Fishing Pier,* 283**Landlord and Tenant***Evicted Tenants, Tearnea,* 1903*Eviction Returns,* 702*Evictions in Mayo,* 981**Law and Police***Antrim Jury Lists,* 691*Belfast Alleged Disturbances,* 1533, 1669, 1907*Colthurst, Sir G.—Police Barracks,* 371*Downey, Sergt., Charges against,* 508, 717*Estreatment of Bail,* 707*Humphreys, Father, Tipperary,* 1665, 1914*Killybegs Petty Sessions,* 163*Kinsella, Convict,* 340, 977*Mountjoy Convict Prison,* 161*Nally, Plot to Release,* 514*O'Leary's Prison Work,* 510*Police at National Federation Meetings,* 947*Prison Clothes, Wearing of,* 350*Queen v. Montagu, Medical Witnesses,* 957*Resident Magistrates Promotion,* 1291*Richmond Prison, Dublin,* 1665, 1912*Roscommon Extra Police,* 1435*Seabrooke, Sergeant, Charges against,* 1664*Tullamore Gaol,* 1662*Waterford Constabulary,* 1662**Legislation—Labourers, Land, and Purchase Acts, &c.***Armagh Land Commission,* 955*Belville Estate, Delays in Purchase,* 699*Cavan Sub-Commission,* 167*Evicted Tenants Clause, Land Act,* 341*Harberton's, Lady, Estate,* 700*Kane's, Francis, Fair Rent,* 702*Land Commissioners—Appointments,* 165; *Salaries,* 2019*Limerick Sub-Commission,* 155*Ulster Farmers, Land Bill for,* 706**Local Government and Poor Law***Advances, Irish Board of Works,* 352*Cork Lunatic Asylum,* 372*Cork Poor Law Election Proxies,* 1292*County Surveyors, Status of,* 1918*Donegal Licensing Sessions,* 974*Donegal Polling Stations,* 164*Donegal Workhouse Nurse,* 163*Downpatrick Workhouse Teacher,* 350*Electoral Returns, Uniformity in,* 708*Enniskillen and Public Health Act,* 1659*Galway County Infirmary,* 823*Galway Infirmary Bill,* 936, 1633*Glencolumbkille Polling Place,* 958

[cont.

**IRELAND—Local Government and Poor Law—cont.***Guardians Nominations, Invalid,* 1281*Kenny's, Dr., Salary,* 704*Labourers Cottages—Derry,* 1125; *Kildare,* 359; *Macroom,* 175; *Millstreet,* 184; *Roscrea,* 1302*Larne Workhouse,* 149, 705, 1288*Lisburn Workhouse,* 955*Loans and P. O. Deposits,* 1897*Local Government Bill,* 1314-1405, 1536-1633, 1674-1735*Magherafelt Courthouse,* 149, 345*Overseers and Registration,* 1519*Petty Sessions Clerk, Voting,* 1524*Provisional Orders Bills, Nos. 6, 7, 8, 9,* 10, 64, 138, 816, 1169, 2021*Public Health Act Regulations,* 3, 1659*Shillelagh Poor Law Election,* 946*Telegraph Guarantees,* 281*Veterinary Inspectors Superannuations,* 963**Miscellaneous***Ballyclough, Meeting Proclaimed,* 154, 700*Belfast, District Registry for,* 722, 832*Belturbet, Inspection of Weights,* 1290*Chicago Exhibition,* 1921*Compensation for Murder,* 348*Diseased Meat in Belfast,* 166*Gallows Hill, Carrickmacross,* 510*Horse Breeding Grants,* 346, 974*Inniscarra, Proclaimed Meeting,* 960*London Companies Estates,* 514*Members Right to Visit Prisons,* 1436*Nugent, Hon. P. G.* 1285*Pleuro-Pneumonia and Inoculation,* 963*Registration of Holdings,* 1292*Registration of Titles Office,* 150*Revising Barristers, Return of,* 714*Sheep Scab Cure,* 1897*Spurious Woollen Goods,* 729**Post and Telegraphs (see under title POST OFFICE)****Public Works—Distress, Drainage, &c.***Claremorris and Collooney Railway,* 513, 717, 1304*Fairnboy Bay, Pier for,* 1290*Glenties Railway,* 957*Lough Erne Drainage,* 983*Re-afforestation of Galway,* 13, 184*Waterford and Limerick Railway,* 1440**Irish Education Bill***Q. Mr. Sexton, A. Mr. Jackson,* 13**Irish Land Commission Appointments***Q. Mr. Mac Neill, A. Mr. Jackson,* 165



**Irish Regiments and Home Service**  
Q. Sir T. Esmonde, A. Mr. Brodrick, 1445

**ISAACSON, Mr. F. Wootton, *Tower Hamlets, Stepney***

Bargeowners, &c. Liability Bill, 271  
Children in Excursion Trains, 1922  
Egyptian Debt, 1891  
Watermen's and Lightermen's Company Bill, 596, 1086

**Isle of Man (Customs) Bill** [c. No. 363]  
Intro. Sir J. Gorst; Read 1<sup>o</sup>, 1640

**JACKSON, RIGHT HON. W. L. (Chief Secretary to the Lord Lieutenant of Ireland), *Leeds, N.***

Armagh Land Commission, 955  
Ballyclough Proclaimed Meeting, 154, 700  
Bandon River, Illegal Fishing, 168  
Belfast, Alleged Disturbances, 1669, 1907, 1909  
Belturbet, Inspection of Weights, 1290  
Belville Estate, Delays in Purchase, 699  
Cavan Sub-Commission, 167  
Claremorris and Collooney Railways, 717, 1904  
Colthurst, Sir G.—Police Barracks, 371  
Constables, Removal of, 717  
Cork Lunatic Asylum, 372  
Cork Poor Law Election Proxies, 1292  
Culdaff Telegraph Guarantee, 713  
Diseased Meat in Belfast, 166  
Donegal Polling Stations, 164  
Donegal Workhouse Nurse, 163  
Downpatrick Workhouse Teacher, 350  
Electoral Returns, Uniformity in, 708  
Enniskillen and Public Health Act, 1659  
Erasmus Smith Endowments, 1293  
Estreatment of Bails, 707  
Evicted Tenant at Tearnea, 1903  
Evicted Tenants Clause, Land Act, 341  
Eviction Returns, 702  
Evictions in Mayo, 981  
Fairnboy Bay, Pier for, 1290  
Fisheries Inspector's Report, 713  
Galway County Infirmary, 823  
Galway Infirmary Bill, Intro. 936, 1633, 1785  
Glencolumbkille Polling Station, 958  
Guardians Nominations, Invalid, 1281  
Harberton's, Lady, Estate, Purchases, 700  
Horse Breeding in Ireland, 346, 347, 974, 975  
Humphreys, Father, Tipperary, 1665, 1914  
Irish Education Return, 14  
Kane's, Francis, Fair Rent, 702  
Kenny's, Dr., Salary, 704  
Killibegs Petty Sessions, 163  
Kinsella, the Convict, 340, 977  
Labourers Cottages—Derry, 1125; Kildare, 359; Macroom, 175; Millstreet, 184; Roscrea, 1902  
Land Commission Appointments, 165  
Larne Workhouse, 149, 705, 1288  
Limerick Fishermen and Bailiffs, 1125, 1295  
Lisburn Workhouse, 955  
Local Government (Ireland) Bill, 1396, 1624, 1706, 1707

**JACKSON, Right Hon. W. L.—*cont.***

Louisburg, Telegraph for, 1290, 1902  
Magherafelt Courthouse, 149, 345  
Meetings Suppressed in Cork, 154, 700  
Mountjoy Convict Prison, 161  
Pleuro-Pneumonia and Inoculation, 963  
Police at National Federation Meetings, 947  
Political Economy in Schools, 177  
Poor Law Medical Officers, 964  
Poor Law Schools (Ireland) Bill, 1084  
Prison Clothes, Wearing of, 350, 351  
Proclaimed Meeting, Inniscarra, 960  
Public Health Act Regulations, 3; Enniskillen, 1659  
Re-afforestation of Galway, 18, 184  
Resident Magistrates Promotion, 1294  
Revising Barristers, Return of, 714  
Richmond Prison, Dublin, 1665, 1912  
School Superintendents Pay, 178  
School Teachers, Capitation Grant, 1295  
Seabrooke, Sergeant, Charges against, 1664  
Shannon Bailiffs and Fishermen, 950, 1125, 1295  
Shannon Fishermen, Nets, &c. 714  
Sheep Scab Cure, 1897  
Shillelagh Poor Law Election, 946  
Steam Trawling, Irish Waters, 965  
Tullamore Gaol, 1662  
Ulster Farmers, Land Bill for, 706  
Veterinary Inspectors and Superannuation, 963  
Waterford Constabulary, 1662

**JAMES, Right Hon. Sir Henry, *Bury, Lancashire***

Eastbourne Improvement Act (1885) Amendment Bill, 1279  
Electors Qualification and Registration Bill, 1846  
Evidence in Criminal Cases Bill, 303, 307

**JEBB, Mr. R. C., *Cambridge University***  
Universities Ordinances (Scotland), 456

**Jebu Expedition**

Q. Mr. Osborne Morgan, A. Baron H. de Worms, 1592; Q. Mr. Summers, A. Baron H. de Worms, 1900

**JEFFREYS, Mr. A. F., *Hants, Basingstoke***  
Ball Ammunition, 977  
Small Agricultural Holdings Bill, 757, 764

**JOHNSTON, Mr. W., *Belfast, S.***

Erasmus Smith Endowments, 1293  
Galway Infirmary Bill, 1634, 1785  
Local Government (Ireland) Bill, 1365, 1369  
Parliamentary Debates Com. 1783  
Sale of Liquors to Children, 715  
Steam Trawling, Irish Waters, 1511

**JOICEY, Mr. J., *Durham, Chester-le-Street***

Revolver Carrying, 1513

**Jones, Captain, Imprisonment, 1294**

JONES, Mr. L. Atherley-(see ATHERLEY-JONES)

JORDAN, Mr. J., *Clare, W.*

Barracks in Ireland, 1305  
Claremorris and Collooney Railway, 1304  
Fairnboy Bay Pier, 1290  
Intoxicating Liquors (Ireland) Bill, 1440  
Mails for Enniskillen, 1894  
Public Health Act, Enniskillen, 1658  
Waterford and Limerick Railway, 1439

Judgment Summonses

Q. Mr. Harrison, A. Sir R. Webster, 368

Judicial Statistics, 825

Juries Act

Q. Mr. L. Morgan, A. Mr. A. J. Balfour, 1306

Jurors in County Antrim, 692

Jury Service and Volunteers, 274

Kane's, Francis, Fair Rent

Q. Mr. Pinkerton, A. Mr. Jackson, 702

KAY-SHUTTLEWORTH, Right Hon. Sir U. J., *Lancashire, Clitheroe*

Small Agricultural Holdings Bill, 439, 792

KEAY, Mr. J. Seymour, *Elgin and Nairn*

Business of the House, 729  
Education and Taxation Relief (Scotland) Bill, 205  
Housing of the Working Classes, 1129  
Indian Councils Act (1861) Amendment Bill, 1930  
Indian Officials, Salaries of, 180  
Persian Tobacco Concession, 1950  
Rent-Charge of Small Holdings, 825  
Rents under Allotments Act, 188  
Small Agricultural Holdings Bill, 747, 755, 758, 761, 778, 1152, 1153  
Superannuation Acts Amendment (No. 2) Bill, 235, 259, 725

KELLY, Mr. J. R., *Camberwell, N.*

Compensation for Murder in Ireland, 347  
Evidence in Criminal Cases Bill, 301  
Excise Officers Examinations, 821  
Letters Re-directed, Mr. Woodcock's, 274  
Woods and Forests Office Clerks, 1439

Kenny, Dr., Salary of

Q. Mr. McCartan, A. Mr. Jackson, 704

KENNY, Mr. Matthew, *Tyrone, Mid*

Local Government (Ireland) Bill, 1629

KENYON, Hon. G. T., *Denbigh, &c.*  
*Birmingham Water Bill*, 1881

" Kew Bulletin "

Q. Mr. J. Chamberlain, A. Mr. Plunket, 1289

Kew Gardens

*Early Opening*, Q. Mr. E. Holden, Mr. John Ellis, A. Mr. Plunket, 1296  
*Refreshments*, Q. Dr. Tanner, A. Mr. Plunket, 1919  
Vote in Supply, 1939

Kildare, Curragh of, 510, 691

Kildare Labourers Cottages, 359

Killibegs Petty Sessions

Q. Mr. Mac Neill, A. Mr. Jackson, 163

KIMBER, Mr. H., *Wandsworth*

Inebriates Acts Committee, 697  
Telephone and Telegraph Legislation, 1437

KIMBERLEY, Earl of

Conveyancing and Law of Property Act (1881) Amendment Bill, 675, 677  
Polynesian Labour in Queensland, 141, 147  
Reformatory and Industrial Schools, 1264, 1265  
Sittings of the House, 1509  
Water Companies (Regulation of Powers) Bill, 1411, 1413, 1414

Kingston-on-Thames Licences, 966

KINLOCH, Sir John G. S., *Perth, E.*

Small Agricultural Holdings Bill, 394, 412

Kinsella, Convict

Q. Mr. W. O'Brien, A. Mr. Jackson, 340, 977

KNATCHBULL-HUGESSEN, Mr. H. T.,  
*Kent, Faversham*

Gunnery Ship at Sheerness, 1900  
Small Agricultural Holdings Bill, 522, 765

Knockananna Letter Collection

Q. Mr. Byrne, A. Sir J. Fergusson, 1296

KNOX, Mr. E. F. V., *Cavan, W.*

Arbitration, Mr. Curzon on, 985  
Ballinamore Postal Service, 1289  
Business of the House, 192, 193  
Cavan Sub-Commission, 167  
Evidence in Criminal Cases Bill, 289, 299  
Horse-Breeding in Ireland 975  
Local Government (Ireland) Bill, 1600, 1630, 1631  
Lough Erne Drainage, 167, 983  
Registration of Holdings, 1292  
Resident Magistrates, 1291  
Seed Potatoes in Ireland, 982  
Superannuation Acts Amendment (No. 2) Bill, 229, 231, 237, 1311  
Weights and Measures, Belturbet, 1290

**KNUTSFORD, LORD** (Secretary of State for the Colonies)  
 Polynesian Labour in Queensland, 144, 147  
 Water Companies (Regulation of Powers) Bill, 939

**LABOUCHERE, Mr. H., Northampton**  
 Business of the House, 374, 1130, 1450, 1936  
 Electors in Each Constituency, 1444  
 Electrical Engineer, Post Office, 1442, 1443  
 Local Government (Ireland) Bill, 1374  
 Persian Tobacco Concession, 1520, 1521, 1903, 1905, 1944  
 Prison Warders' Pay, &c. 1441  
 Small Agricultural Holdings Bill, 846  
 Standing Committee on Law, &c. 1467  
 Volunteers and Club Membership, 367

#### Labourers Cottages in Ireland

*Derry, Q.* Mr. Mulholland, *A.* Mr. Jackson, 1125  
*Kildare, Q.* Mr. Carew, *A.* Mr. Jackson, 359  
*Macroom, Q.* Dr. Tanner, *A.* Mr. Jackson, 175  
*Millstreet, Q.* Dr. Tanner, *A.* Mr. Jackson, 184  
*Roscrea, Q.* Mr. A. O'Connor, *A.* Mr. Jackson, 1301

Labourers, Royal Parks, 826

#### Land Drainage Provisional Order (Morton Fen) Bill [c. No. 314]

Intro. Mr. Chaplin; Read 1<sup>o</sup>, 64  
 Read 2<sup>o</sup>, and com. 595  
 Rep. without Amendt. 1406  
 Read 3<sup>o</sup>, and passed, 1506

#### Land Purchase Act Returns

*Q.* Mr. John Ellis, *A.* Sir J. Gorst, 956, 1516

Land Stock and Consols, 369

#### Larne Workhouse

*Q.* Mr. McCartan, *A.* Mr. Jackson, 149, 705;  
*Q.* Mr. Pinkerton, *A.* Mr. Jackson, 1288

**LAWRENCE, Mr. W. F., Liverpool, Abercromby**

Polynesian Labour in Queensland, 1994

**LAWSON, Mr. Harry L. W., St. Pancras, W.**

Local Authorities (Purchase of Land) Bill, 70, 96, 106, 119

**LAWSON, Sir Wilfrid, Cumberland, Cockermouth**

Business of the House, 1450, 1673  
 Franchise and Poor Law Relief, 7  
 Illiterate Voters, 906  
 Intoxicating Liquors (Ireland) Bill, 1441  
 Local Government (Ireland) Bill, 1405  
 M'Kinley Tariff, 823  
 Naval Knights of Windsor Bill, 1309

**LAWSON, Sir Wilfrid—cont.**

Pauper Labour Disqualification Removal Bill, 64  
 Standing Committee on Law, 1463  
 Volunteers and Clubs, 365, 367

**LEA, Mr. Thomas, Londonderry, S.**  
 Intoxicating Liquors (Ireland) Bill, 1440  
 Irish Holdings, 699

**LEFEVRE, Right Hon. J. G. Shaw, Bradford, Central**

Alexandra Palace and Grounds Bill, 940  
 Plural Voting Abolition Bill, 1181, 1244  
 Small Agricultural Holdings Bill, 379, 406, 414, 420, 438, 439, 546, 758, 764, 846, 851, 855, 886, 889, 890, 891, 1143  
 Ways and Means, 1032

**LEIGHTON, Mr. Stanley, Shropshire, Oswestry**  
 Cyprus Tribute, 1283

**LENG, Mr. J., Dundee**

Education and Taxation Relief (Scotland) Bill, 39, 207  
 Industrial Schools in Scotland, 1515  
 Letters, Re-direction of, 716  
 Parliamentary Papers, Free Postage, 1515  
 Spanish Import Tariff, 829; on Linen Yarns, 1447  
 Ways and Means, 1049

**LEON, Mr. H. S., Bucks, N.**

Grandborough Sanitary Condition, 1671

**Leresche, Mr., and Pendlebury Colliers**  
*Q.* Mr. Roby, *A.* Mr. Matthews, 1898

**LETHBRIDGE, Sir Roper, Kensington, N.**  
 Behar Cadastral Survey, 1117, 1432, 1433, 1894

Indian School Inspector's Salary, 1895  
 Polynesian Labour in Queensland, 971

#### Letter Boxes, Sub-Post Offices

*Q.* Mr. H. J. Wilson, *A.* Sir J. Fergusson, 1518

#### Letters Re-directed, Mr. Woodcock's

*Q.* Mr. Kelly, *A.* Sir J. Fergusson, 274; see 716

Letters, Sunday Receiving Offices, 716

#### Lewes Naval Prison

*Q.* Mr. Gourley, *A.* Lord G. Hamilton, 157

**LEWIS, Mr. T., Anglesey**

American Mails, *via* Holyhead, 1514

#### Licences at Kingston-on-Thames

*Q.* Mr. Bowen Rowlands, *A.* Mr. Matthews, 966

**Licences, Clubs and Public-Houses, 1899**

**Licences in County Donegal**

Q. Mr. T. W. Russell, A. Mr. Madden, 974

**Licences Refused, Return of, 945**

**Licensing of Militia Canteens**

Q. Mr. F. Pease, A. Mr. Brodrick, 1303

**Lighthouse Boat Attendance**

Q. Mr. D. Sullivan, A. Sir M. H. Beach, 1512

**Limerick Fishermen and Conservators**

Q. Mr. P. O'Brien, A. Mr. Jackson, 1124;  
see also 950, 1295

**Limerick, Sub-Commission for**

Q. Mr. W. Abraham, A. Mr. Madden, 155

**Lincolnshire (Lindsey) Charities**

Q. Sir W. Foster, A. Sir H. Maxwell, 5

**Linen Yarn Duties, Spain**

Q. Mr. Leng, A. Mr. J. W. Lowther, 1447

**Linlithgow Palace, Supply, 1936**

**Liquors, Sale of, to Children, 715**

**Lisburn Post Office**

Q. Mr. Macartney, A. Mr. Forwood, 1113

**Lisburn Workhouse**

Q. Mr. McCartan, A. Mr. Jackson, 954

**LLEWELLYN, Mr. E. H., Somerset, N.**

Recreation Grounds Bill, 2R. 136

Small Agricultural Holdings Bill, 415

**LLOYD-GEORGE, Mr. D., Carnarvon, &c.**

Birmingham Corporation Water Bill, 1858,  
1865, 1876, 1881

Sea Fisheries, 1170

Standing Committee on Law, 1458

**Loaning National Gallery Pictures**

Q. Sir W. Foster, A. Sir J. Gorst, 1444

**Local Authorities (Acquisition of Land)  
Bill**

Title changed to "Mortmain and Charitable  
Uses Act Amendment Bill," which see

**Local Authorities (Purchase of Land)  
Bill [c. No. 33]**

2R. Debate 66, put off Six Months, 136

**LOCAL GOVERNMENT BOARD**

President—*Right Hon. C. T. Ritchie*

Secretary—*Mr. W. H. Long*

*Allotments Act, Rents under, 187*

**[cont.]**

**LOCAL GOVERNMENT BOARD—cont.**

*Foreigners in Great Britain, 279*

*Franchise and Poor Law Relief, 6*

*Guardians and Vestrymen's Qualifications,  
712*

*Local Authorities (Purchase of Land) Bill,  
66-136*

*Medway Guardians, Forged Votes, 160*

*Pauper Regulations, 277*

*Provisional Orders Bills, 816, 936, 1086,  
1408, 2021; Brine Pumping, 936*

*Public Elementary Schools Bill, 1785*

*Small Pox at King's Norton, 152*

*Tuberculosis Commission, 824*

*Vaccination Commission, 712*

*Vestrymen and Voting Penalties, 517*

**Local Government (Ireland) Bill [c.  
No. 174]**

2R. Debate, 1314-1405, Adj.

Debate resumed, 1469; Adj. 1504

Debate resumed, 1536; Adj. 1633

Debate, 1674; Read 2<sup>o</sup>, 1735

**Local Government (Ireland) Provisional  
Orders Bills**

**(No. 1)**

l. Read 3<sup>a</sup>, and passed, 1

**(No. 2)**

[c. No. 298]

c. Read 2<sup>o</sup>, and com. 1787

**(No. 3)**

[c. No. 299]

Read 2<sup>o</sup>, and com. 1507

**(No. 4)**

[c. No. 300]

Read 2<sup>o</sup>, 1168

Rep. without Amendt. 2019

**(No. 5)**

[c. No. 301]

Read 2<sup>o</sup>, 1085

Rep. without Amendt. 2019

**(No. 6)**

[c. No. 315]

Intro. Mr. Madden; Read 1<sup>o</sup>, 64

Read 2<sup>o</sup>, 1168

Rep. without Amendt. 2020

**(No. 7)**

[c. No. 319]

Read 1<sup>o</sup>, 138

Read 2<sup>o</sup>, 1168

Rep. without Amendt. 2020

**(No. 8)**

[c. No. 343]

Read 1<sup>o</sup>, 816

Read 2<sup>o</sup>, and com. 1787

**(No. 9)**

[c. No. 354]

Read 1<sup>o</sup>, 1169

**(No. 10)**

[c. No. 375]

Intro. Mr. Madden; Read 1<sup>o</sup>, 2021

**Local Government Provisional Orders  
Bills**

**(No. 1)**

[c. No. 266]

Rep. with Amendt. 1406

Read 3<sup>o</sup>, and passed, 1506

**[cont.]**



**Local Government Provisional Orders**

**Bills—cont.**

- (No. 2) [c. No. 267]  
Rep. without Amendt. 1406  
Considered, 1506  
Read 3<sup>o</sup>, and passed, 1639
- (No. 3) [c. No. 268]  
Rep. without Amendt. 1406  
Read 3<sup>o</sup>, and passed, 1506
- (No. 4) [c. No. 305]  
Read 2<sup>o</sup>, and com. 595  
Rep. 1406; Read 3<sup>o</sup>, 1506
- (No. 5) [c. No. 306]  
Read 2<sup>o</sup>, and com. 595  
Rep. 1406; Read 3<sup>o</sup>, 1506
- (No. 6) [c. No. 307]  
Read 2<sup>o</sup>, and com. 935  
Rep. 1507; Read 3<sup>o</sup>, 1639
- (No. 7) [c. No. 339]  
Intro. Mr. Long; Read 1<sup>o</sup>, 816
- (No. 8) [c. No. 340]  
Read 1<sup>o</sup>, 816  
Read 2<sup>o</sup>, and com. 1855
- (No. 9) [c. No. 341]  
Read 1<sup>o</sup>, 816
- (No. 10) [c. No. 345]  
Read 1<sup>o</sup>, 936
- (No. 11) [c. No. 346]  
Read 1<sup>o</sup>, 936
- (No. 12) [c. No. 352]  
Read 1<sup>o</sup>, 1086  
Read 2<sup>o</sup>, and com. 1855
- (No. 13) [c. No. 353]  
Read 1<sup>o</sup>, 1085  
Read 2<sup>o</sup>, and com. 1855
- (No. 14) [c. No. 358]  
Read 1<sup>o</sup>, 1408
- (No. 15) [c. No. 374]  
Read 1<sup>o</sup>, 2021

**Local Government Provisional Order  
(Poor Law) Bill** [c. No. 342]

Intro. Mr. Long; Read 1<sup>o</sup>, 816  
Read 2<sup>o</sup>, and com. 1787

**Local Government (Scotland) Order  
(Glasgow, &c.) Bill**

l. Rep. Standing Com. negatived, 1  
Read 3<sup>a</sup>, and sent to c. 141  
c. from l. Read 1<sup>o</sup> [No. 838], 335

Löffler, Professor, and Mice Plague  
Q. Mr. Thorburn, A. Mr. Chaplin, 721

LOGAN, Mr. J. W., *Leicester, Harborough*  
Humphrey's, Frederick, Vaccination Case,  
1904  
*Pigeons, Shooting of*, 1808

**London Companies' Irish Estates**

Q. Mr. T. M. Healy, A. Mr. A. J. Balfour,  
514

**London County Council (General Powers)  
Bill**

c. Select Com. Nominated, 148

**London County Council (Money) Bill**

c. Read 2<sup>o</sup>, and com. 941

**London County Council (Tramways) Bill**

c. Read 3<sup>o</sup>, 1510

**Londonderry Barracks, 1305**

*Disturbance*, Q. Mr. P. O'Brien, A. Mr.  
Brodrick, 1916

**Londonderry Telegraphic Staff**

Q. Sir T. Esmonde, A. Sir J. Fergusson, 352

**London Street Accidents**

Q. Mr. Coghill, A. Mr. Matthews, 830, 1528

**LONG, MR. W. H. (Secretary to the  
Local Government Board), *Wilts,*  
*Devizes***

Brine Pumping (Compensation for Disturb-  
ance) Provisional Order Bill, Intro. 936  
Local Government Provisional Orders (Nos.  
7, 8, 9) Bills, Intro. 816  
Local Government Provisional Orders (Poor  
Law) Bill, Intro. 816  
Local Government Provisional Orders (Nos.  
10, 11) Bills, Intro. 936  
Local Government Provisional Orders (Nos.  
12, 13) Bills, Intro. 1086  
Local Government Provisional Orders (No.  
14) Bill, Intro. 1408  
Local Government Provisional Orders (No.  
15) Bill, Intro. 2021

**LORD ADVOCATE (see PEARSON, Sir C. J.)**

**LORD CHANCELLOR (see HALSBURY,  
Lord)**

**LORD PRESIDENT of the COUNCIL (see  
CRANBROOK, Viscount)**

**LORD PRIVY SEAL (see CADOGAN, Earl)**

**Lough Erne Drainage**

Q. Mr. Knox, A. Sir J. Gorst, 167, 983

**Loughran, Assault on, 1669, 1907**

**Louisburg Telegraphic Communication**

Q. Sir T. Esmonde, A. Mr. Jackson, 1290;  
Q. Mr. W. O'Brien, A. Mr. Jackson, 1902

**LOTHIAN, MARQUESS OF (LORD KER)  
(Secretary for Scotland)**

*Universities (Scotland) Ordinances*, 339

**LOWTHER, Mr. J. W.** (Under Secretary of State for Foreign Affairs), *Cumberland, Penrith*

African Companies, Resident Inspector for, 1487, 1525

Brazil—British Emigrants, 1443; British Trade, 1884

British Embassy in Morocco, 277

Christ's Hospital and Naval Officers, 176

Delagoa Bay Railway, 511

Egyptian Debt, 1891

Jones's, Captain, Imprisonment, 1294

M'Kinley Tariff Report, 823

North Sea Fisheries Convention, 696

Persian Tobacco Concession, 1521, 1522, 1659, 1904, 1947, 1951, 1952, 1960

Petroleum Steamers, Suez Canal, 719, 964, 1120, 1299, 1906, 1907

Political Economy and Diplomatic Service Exams. 1886

Shire Districts and Lake Nyassa, 14

Spanish Import Tariff, 830, 1447

Uganda Troubles, 1905, 1911

United States and Newfoundland, 709

**LOWTHER, Right Hon. James, Kent, Thanet**

Alien Immigration, 826, 1147

Electors Qualification and Registration Bill, 1798, 1805, 1817

Small Agricultural Holdings Bill, 840

**LUBBOCK, Right Hon. Sir John, London University**

British Trade with Brazil, 1884

English College Grants, 373

London County Council (Money) Bill, 941

Medical Officers, Pension Withdrawals, 367

Telegraphs Bill, 1926

**LYELL, Mr. L., Orkney and Shetland**  
Education and Local Taxation Relief Bill, 202, 212

**Lyons, Conviction of Mr. Lewis**

Q. Mr. Conybeare, A. Mr. Matthews, 718;

Q. Dr. Cameron, A. Mr. Matthews, 959

**"M.A." Degree, Wrongful Assumption**

Q. Mr. Cobb, A. Mr. Matthews, 353

**MACARTNEY, Mr. W. G. E., Antrim, S.**

Business of the House, 140

Guardians Nominations, 1281

Jurors, County Antrim, 692

Lisburn New Post Office, 1113

Local Government (Ireland) Bill, 1405, 1469

**Macclesfield School Board**

Q. Mr. B. Reed, A. Sir W. H. Dyke, 692

**MACKINTOSH, Mr. C. Fraser-, Inverness-shire**

Crofters Holdings (Scotland) Act, 573

Drimnin, Telegraph for, 345

**MACKINTOSH, Mr. C. Fraser-—cont.**

Militiamen and Sunday Duty, 506

Ordnance Survey, 360

South Uist Cottars, 506

**MACLEAN, Mr. J. M., Oldham**

Plural Voting Abolition Bill, 1199

**MACNEILL, Mr. J. G. Swift, Donegal, S.**

Army Chaplains and Miss Robinson, 695

Business of the House, 835

Compensation for Murder, 348

Donegal Polling Stations, 164

Donegal Workhouse Nurse, 163

Glencolumbkille Polling Station, 958

Illiterate Voters, 902, 908

Indian Councils Act Amendment, 313, 1930

Killybegs Petty Sessions, 163

Land Commission Appointments, 165

Local Government (Ireland) Bill, 1392, 1393, 1564

Plural Voting Abolition Bill, 1238

Prison Clothes, 351

Provincial Post Office Assistants, 953

Superannuation Acts Amendment (No. 2) Bill, 260, 1310

Supplementary Question, 1307

Weights and Measures (Purchase) Bill, 63

Writs at Belfast, Issue of, 833

**McARTHUR, Mr. W. A., Cornwall, Mid, St. Austell**

Polynesian Labour in Queensland, 1991

**MCCARTAN, Mr. M., Down, S.**

Belfast Registry Office, 833

Constables, Removal of, 717

Downey, Sergeant, Charges against, 508

Downpatrick Workhouse Teacher, 349

Horse Breeding in Ireland, 346

Irish Holdings, 699, 700

Kenny's, Dr., Salary, 704

Land Commission in Armagh, 955

Larne Workhouse, 149, 705

Lisburn Workhouse, 954

Magherafelt Courthouse, 149, 345

Primogeniture Abolition Bill, 816

Recognizances at Rathfurland, Estreatment of, 707

Registration of Titles Office, 150

Ulster Farmers and Compulsory Sale of Land, 706

**MCCARTHY, Mr. Justin, Londonderry, City**

Public Health Amendment Act and Ireland, 3

**MCDONALD, Dr. R., Ross and Cromarty**

Herring Fisheries, 283

**MCLAREN, Mr. W. S. B., Cheshire, Crewe**

Glasgow Police Bill, 1100

**McGrath's, John, Pension**  
Q. Mr. Sexton, A. Mr. Brodrick, 946

**McKinley Tariff**  
Q. Sir W. Lawson, A. Mr. J. W. Lowther, 823

**M'LAGAN, Mr. Peter, Linlithgow**  
Gibraltar Sanitary Engineer, 362  
Supply—Linlithgow Palace, 1938

**Macroon Post Office**  
Q. Dr. Tanner, A. Sir J. Fergusson, 50

**MADDEN, RIGHT HON. D. H. (Attorney General for Ireland), Dublin University**

Antrim Jury Lists, 691  
Belfast, Alleged Disturbance, Boys, 1533  
Belfast, District Registry for, 722, 832  
Claremorris and Collooney Line, 513  
Compensation for Murder, 348  
County Surveyors, Status of, 1918  
Donegal Licensing Sessions, 974  
Downey, Sergeant, Charges against, 508  
Gallows Hills, Carrickmacross, 510  
Limerick Land Sub-Commission, 155  
Local Government (Ireland) Bill, 1338, 1400, 1702  
Local Government (Ireland) Provisional Orders (No. 6) Bill, Intro. 64; (No. 7) Bill, Intro. 138; (No. 8) Bill, 816; (No. 9) Bill, 1169; (No. 10) Bill, 2021  
Medical Witnesses—"Queen v. Montagu," 957  
Members Visiting Prisons, 1436  
Nally, Plot to Release, 514  
Nugent, Hon. P. G. 1285  
O'Leary's Prison Work, 510  
Overseers and Registration, 1519  
Petty Sessions Clerk Voting, 1524  
Registration of Holdings, 1292  
Registration of Titles Office, 150  
Roscommon Extra Police, 1435  
Spurious Woollen Goods, 729  
Steam Trawling, Irish Waters, 1512  
Telegraph Guarantees, 281  
Waterford and Limerick Railway, 1440

**Madras Presidency**  
Q. Sir W. Plowden, A. Mr. Curzon, 1661

**Magherafelt Courthouse**  
Q. Mr. McCartan, A. Mr. Jackson, 149, 345

**Magistrates Decision, Differences**  
Q. Mr. P. O'Brien, A. Mr. Matthews, 1300

**MAGUIRE, Mr. T. R., Donegal, N.**  
Channel Squadron, 1666  
Telegraph Guarantees, 281  
Telegraph Office at Culduff, Application for, 713

**Maguire, Colonel, Claims of**  
Q. Mr. Hayden, A. Mr. Brodrick, 979

**Mails, Naples and Brindisi, 1114**

**MALCOLM, Colonel J. W., Argyllshire**  
Crofters Holdings (Scotland) Act, 562

**MALLOCK, Mr. R., Devon, Torquay**  
Irish Fishery Harbour Loans, 710

**Manchester, Sheffield, and Lincolnshire Railway (Extension to London, &c.) Bill**

In Com. 678, to be Read 3<sup>o</sup>, 692

**MAPLE, Mr. J. Blundell, Camberwell, Dulwich**  
Manchester, Sheffield, and Lincolnshire Railway (Extension to London, &c.) Bill, 689, 691

**MAPPIN, Sir Fredk. T., York, W. R., Hallamshire**  
British Trade with Brazil, 1884

**Margarine Act (1877) Amendment Bill**  
[c. No. 316]  
Intro. Mr. Flavin; Read 1<sup>o</sup>, 64

**MARJORIBANKS, Right Hon. E., Berwickshire**  
Education and Taxation Relief (Scotland) Bill, 199, 206  
Illiterate Voters, 933  
Small Agricultural Holdings Bill, 409, 541, 787

**Marriages Abroad Bill**  
c. from L., Read 1<sup>o</sup>, 1407

**Married Women's Property Act (1882) Amendment Bill** [c. No. 397]  
Intro. Mr. Milvain; Read 1<sup>o</sup>, 663

**MATTHEWS, RIGHT HON. H. (Secretary of State for the Home Department), Birmingham, E.**  
Alien Pauper Lunatics, 1916  
Betting Prosecutions, 4  
Births in Prison, 348  
Borough Boundaries, 371  
Chatham Prison Convicts, 1127  
Compulsory Fire Escapes, 951  
Dockyard Police, 696, 1282  
Fines, Medicine Stamp Acts, 1438  
Hawkshaw, Rev. E. B., Case of, 854, 1530  
Homing Pigeons, Shooting of, 1303  
Hughes, Lemuel, Assault on, 707  
Industrial Schools, Scotland, 1515  
Inebriates Acts Committee, 697  
Kingston-on-Thames Licences, 967  
Laresche, Mr., and Pendlebury Colliers, 1899  
London Street Accidents, 831, 1528  
Lyons, Lewis, Conviction of, 718, 959  
M.A. Degree Wrongly Assumed, 854, 1530

(cont.)

MATTHEWS, Right Hon. H.—*cont.*

Magistrates Decisions Differing, 1300  
 Metropolitan Police Inspectors Retiring Fund, 1901  
 Midland Railway, St. Pancras, 365  
 Parliamentary Electors, Return, 1444  
 Penalties under Education Acts, 1915  
 Petroleum, Storage of, 1129  
 Poaching in Forest of Dean, 9  
 Policemen as Firemen, 357  
 Police Returns Bill, Intro. 2022  
 Police Voting, Vestry Elections, 372, 962  
 Prison Clothes, Salvationists, 189  
 Prison Visiting, Members' Rights, 1437  
 Prison Warders, Pay, &c. 1441  
 Reckless Bicycle Riding, 275  
 Revolver Licences, 512, 1513  
 Sale of Liquors to Children, 715  
 Statutes of 1882, Reprinting, 1287  
 Vaccination Commission, 1517  
 Vaccination Fines, F. Humphreys, 1304  
 Volunteers and Club Membership, 366, 367

MATTINSON, Mr. M. W., *Liverpool, Walton*

Municipal Corporations Act (1882) Amendment Bill, 597, 604, 630, 640, 660, 661

## Mauritius, Hurricane at

Q. Mr. H. S. Wright, A. Baron H. de Worms, 1446; Q. Colonel H. Vincent, A. Baron H. de Worms, 1660

MAXWELL, SIR H. E. (a Lord of the Treasury), *Wigton*  
Lincolnshire Charities, 5

## Maybrick, Mrs.

Q. Mr. Dalziel, A. Mr. Stuart-Wortley, 1661

MAYNE, Admiral R. C., *Pembroke and Haverfordwest*

Greenwich Hospital Pensions, 978  
 "Royal Sovereign" Gunnery Trials, 979

## Mayo, Evictions in, 980

## Medical Officers

Army, Q. Dr. Tanner, A. Mr. Brodrick, 167;  
*Precedence at Mess*, 168  
 India, Q. Sir G. Hunter, A. Mr. Curzon, 1287  
 Ireland, *Poor Law*, 964  
 Pensions, Q. Sir J. Lubbock, A. Sir J. Gorst, 367

## Medical Witnesses — "Queen v. Montagu"

Q. Mr. Pinkerton, A. Mr. Madden, 957

## Medicine Stamp Acts, 1438

## Mediterranean Survey

Q. Obs. Viscount Sidmouth, Lord Elphinstone, 1654

## Medway Board of Guardians

Q. Mr. P. O'Brien, A. Mr. Ritchie, 159

## Meetings in Schoolrooms, 179

## Meetings Suppressed in Cork

Q. Mr. Sexton, Mr. A. O'Connor, A. Mr. Jackson, 700

## Members Visiting Prisons, 1436

## Mercantile Marine Officials

Q. Mr. Dalziel, A. Sir M. H. Beach, 1670

## Merchant Shipping Act

Q. Mr. Dalziel, A. Sir M. H. Beach, 1116

## Merchant Shipping Acts Amendment Bill [c. No. 229]

Rep. as Amended [No. 318], Re-com. 63  
 Remuneration, Reso. 1407, Rep. 1507  
 Com. R.P. 1855

## Mess-Tins, Army—Union Wages

Q. Mr. Buxton, A. Mr. Brodrick, 955

## Metropolitan Cattle Market, 1920

## Metropolitan Police Inspectors Retiring Fund

Q. Mr. C. Graham, A. Mr. Matthews, 1901

## Metropolitan Police Provisional Order Bill [c. No. 274]

Read 2<sup>o</sup>, and com. 335  
 Rep. without Amendt. 1406  
 Read 3<sup>o</sup>, and passed, 1506

## Mice, Destruction of, 721

## Midland Railway, St. Pancras

Q. Mr. Webster, A. Mr. Matthews, 364

MILDMAY, Mr. F. B., *Devon, Totnes*

Freeman, David, Pension of, 181

## Military Lands Consolidation Bill [c. No. 184]

Committed to Select Com. 596  
 Select Com. Nominated, 1640

## Military Warders' Pay, &amp;c.

Q. Mr. Cobb, A. Mr. Brodrick, 697

## Militiamen and Sunday Duty

Q. Mr. Fraser-Mackintosh, A. Mr. Brodrick, 506; Canteens, 1303

## Militia Officers' Mess Allowance

Q. Mr. Seale-Hayne, A. Mr. Brodrick,



Millstreet Labourers Allotments, 184

MILVAIN, Mr. T., *Durham*

Married Women's Property Act (1882)  
Amendment Bill, 663

Mining Royalties

Q. Mr. P. Morgan, A. Mr. Goschen, 280  
(See also Gold Mining)

Mitton School Accommodation

Q. Viscount Ebrington, A. Sir W. H. Dyke, 2

MONKSWELL, Lord

Reformatory and Industrial Schools, 1256,  
1263, 1265, 1266

Montagu, Mrs., Medical Witnesses,  
957

MONTAGU, Mr. S., *Tower Hamlets,*  
*Whitechapel*

Foreigners in Great Britain, 278  
Ways and Means, 1040

MORE, Mr. R. J., *Shropshire, Ludlow*

Corn Sales Committee, 592, 663, 1086

Morgan, Andrew, Widow of

Q. Mr. P. O'Brien, A. Lord G. Hamilton,  
1892

MORGAN, Right Hon. G. Osborne,  
*Denbighshire, E.*

Evidence in Criminal Cases Bill, 299  
Jebu Expedition, 1532

MORGAN, Mr. J. Lloyd, *Carmarthen, W.*

Juries Act, 1306

MORGAN, Mr. Octavius V., *Battersea*

Lake Nyassa and Shire, 14  
Sea Fisheries, 1169

MORGAN, Mr. W. Pritchard, *Merthyr*  
*Tydvil*

Geological Surveys, Wales and Ireland, 720  
Gold Mining Royalties, 171, 189, 280  
Persian Tobacco Concession, 1960  
Personal Explanation, 190

MORLEY, Mr. Arnold, *Nottingham, E.*

Shop Hours Bill, Com. 1508

MORLEY, Right Hon. John, *Newcastle-*  
*upon-Tyne*

Business of the House, 374, 1535  
Disturbances at Belfast, 1670  
Evidence in Criminal Cases Bill, 307, 308  
Local Authorities (Purchase of Land) Bill,  
128  
Local Government (Ireland) Bill, 1345, 1389,  
1550

Morocco, British Embassy

Q. Mr. Harrison, A. Mr. J. W. Lowther, 277

**Mortmain and Charitable Uses Act**  
**Amendment Bill**

Title changed from "Local Authorities  
(Acquisition of Land) Bill"

l. Rep. from Standing Com. 485  
Amendts. Rep. 665  
Read 3<sup>a</sup>, and returned to c. 1094  
c. Lords Amendts. agreed to, 1639

MORTON, Mr. A. C., *Peterborough*

Birmingham Corporation Water Bill, 1857,  
1865, 1867, 1869, 1871  
Charity Inquiries Bill, 334  
Newfoundland, French Shore Bill, 1119  
Parliamentary Reporting Committee, 370  
Persian Tobacco Concession, 1957  
Railway Rates, &c. (North Eastern) Bill,  
506  
Roads and Bridges (Scotland) Bill, 62  
Small Agricultural Holdings Bill, 537, 540,  
544, 549, 734, 782, 876, 877  
Superannuation Acts Amendment Bill, 232,  
240, 241, 257  
Supply—Linlithgow Palace, 1936, 1938  
Palace of Westminster, 1943  
Tithe-Rent Receipts, 975  
Volunteers and Clubs, 367  
Ways and Means, 1051, 1081  
Weights and Measures (Purchase) Bill, 63

MOUNT EDGCUMBE, EARL OF  
(Lord Steward)

Universities (Scotland) Ordinances, 1641

Mountjoy Convict Prison

Q. Mr. P. O'Brien, A. Mr. Jackson, 161

MOWBRAY, Right Hon. Sir J. R., *Oxford*  
*University*

Selection (Standing Committees), 65, 892  
1168, 1507  
Tithe-Rent Receipts, 975

MULHOLLAND, Mr. H. L., *Londonderry,*  
*N.*

Labourers Dwellings in Derry, 1125

**Municipal Corporations Act (1882) Amend-**  
**ment (No. 2) Bill** [c. No. 336]

Intro. Mr. Brunner; Read 1<sup>o</sup>, 596  
2R. Debate, 597, Divisions, Adj. 662  
Order discharged, Bill withdrawn, 1085

MURDOCH, Mr. C. T., *Reading*

Ways and Means, 1055, 1062

MURRAY, Mr. A. GRAHAM (Solicitor  
General for Scotland), *Buteshire*

Burgh Police and Health (Scotland) Bill,  
320, 328, 332, 1161  
Education and Local Taxation Relief  
220

Nally, P. W., Convict  
Q. Dr. Tanner, A. Mr. Madden, 514

National Education (Ireland)  
Return of Pupils, &c. (Mr. Sexton), 138

National Education (Ireland) Bill  
Q. Mr. Sexton, Mr. Conway, A. Mr. A. J. Balfour, 1086

National Federation (Irish) Meetings,  
947

National Gallery, Want of Space  
Q. Dr. Farquharson, A. Mr. Plunket, 176

Naval Knights of Windsor Bill [c. No.  
359]

Intro. Lord G. Hamilton; Read 1<sup>o</sup>, 1309

Naval Medical Officers  
Q. Dr. Tanner, Dr. Farquharson, A. Lord G. Hamilton, 11

Naval Rations  
Q. Captain Price, A. Lord G. Hamilton, 158

Naval Returns  
Q. Mr. Picton, A. Lord G. Hamilton, 187

#### NAVY (see ADMIRALTY)

*Christ's Hospital Presentations*, 176  
*Effective Ships Return*, 187  
*Freeman's, David, Service*, 181  
*Greenwich Hospital Pensions*, 978, 1445  
*Gunboats, Zambesi, &c.* 829  
*Gunnery Ship, Sheerness*, 1900  
*Gunnery Trials, "Royal Sovereign,"* 979  
*H.M.S. "Royal Sovereign"—Engine Room Complement*, 155; *Speed Trials*, 156; *Gunnery Trials*, 979  
*H.M.S. "Sultan,"* 720  
*Lewes Naval Prison*, 157  
*Medical Officers and Schools*, 11  
*Mediterranean Survey*, 1656  
*Naval Knights of Windsor Bill*, 1309, 1508  
*Naval Reserve Station, Tramore*, 282  
*Petroleum in Suez Canal*, 965  
*Rations, Savings in*, 158  
*Sheerness—Dockyard*, 182; *Dredging and Fisheries*, 11  
*Warrant Officers Daughters*, 1905

NEVILLE, Mr. R., *Liverpool, Exchange Municipal Corporations Act (1882) Amendment Bill*, 603, 618, 620, 621, 622

Newcastle Correspondence, 1448

Newfoundland Convention  
Q. Mr. F. Evans, A. Baron H. de Worms, 370; see also 709

Newfoundland, French Shore Bill  
Q. Mr. Morton, A. Baron H. de Worms, 1119

NOLAN, Colonel J. P., *Galway, N.*  
Business of the House, 1856  
County Surveyors, Status of, 1918  
Local Government (Ireland) Bill, 1607, 1633, 1674, 1683  
Pension of Sergeant Finn, 1883  
Superannuation Acts Amendment Bill, 271

North Sea Fisheries Convention  
Q. Mr. Heneage, A. Mr. J. W. Lowther, 696

NORTON, Lord  
Reformatory and Industrial Schools Acts, 1252

Nugent, Hon. P. G., and Irish Magistracy  
Q. Mr. D. Sullivan, A. Mr. Madden, 1285

Nyassa Lake Gunboats, 828

O'BRIEN, Mr. Patrick, *Monaghan, N.*  
Births in Prison, 348, 349  
Business of the House, 1449  
City Postal Delays, 343  
Compensation for Murder, 348  
Convicts in Chatham Prison, 1126  
Cork Poor Law Elections, 1292  
Enlistment of Boys in Army, 509  
Gallows Hills, Carrickmacross, 510  
Inland Revenue Officers, 1128  
Limerick Fishermen, 1124  
Local Government (Ireland) Bill, 1469  
Londonderry Barracks Disturbance, 1916  
Magistrates Decisions, 1300  
Medway Guardians, Forged Votes, 160, 161  
Members Visiting Prisons, 1436  
Morgan, Andrew, Widow of, 1892  
Mountjoy Prisoners Employment, 161, 510  
Overseers and Registration, 1519  
Policemen's Votes, Vestry Elections, 372, 962  
Proclaimed Meeting at Inniscarra, 961  
Serge Contracts, 1301  
Shannon Fisheries, 950, 1295  
Shillelagh Poor Law Election, 945  
Special Telegraph Duty, 349  
Sunday Post in Dublin, 949

O'BRIEN, Mr. P. J., *Tipperary, N.*  
Cork Guardians, Forged Votes, 727

O'BRIEN, Mr. William, *Cork County, N.E.*  
Ballyclough Proclaimed Meeting, 154  
Evicted Tenants, Land Purchase Act, 341, 1902  
Evictions in Mayo, 980  
Kinsella, the Convict, 340, 977  
Local Government (Ireland) Bill, 1491, 1492, 1504, 1537, 1539, 1564, 1614  
Louisburg Fisheries and Telegraph, 1902

O'CONNOR, Mr. Arthur, *Donegal, E.*  
 · Cork, Suppression of Meetings, 701  
 Customs and Inland Revenue Bill, 2014  
 Labourers Cottages, 1301  
 Land Commissioners Salaries, 2019  
 Standing Committee on Law, 1465  
 Superannuation Acts Amendment (No. 2)  
 Bill, 248  
 Union Returns, Uniformity of, 708

O'CONNOR, Mr. John, *Tipperary, S.*  
 Chicago Exhibition and Ireland, 1921  
 Gold Coast Political Prisoners, 1114  
 Gold Mining Royalties, 170  
 Illiterate Voters, 930  
 Irish Woollen Goods, Spurious, 728

O'CONNOR, Mr. T. P., *Liverpool, Scot-*  
*land*  
 Municipal Corporations Act (1882) Amend-  
 ment Bill, 620, 628

Officers Mess Allowance, 179

O'HANLON, Mr. T., *Cavan, E.*  
 Bonded Warehouses, 958  
 Glencolumbkille Polling Station, 958  
 Glenties Railway, 957

O'KEEFFE, Mr. Francis A., *Limerick*  
 Board of Works Loans and Post Office  
 Deposits, 1896  
 Dangerous Bathing in Shannon, 953

O'Leary, Thomas, Case of  
 Q. Mr. P. O'Brien, A. Mr. Madden, 509

Ordnance Survey  
 Select Com. 136; Order read and discharged,  
 272  
*Employees*, Q. Mr. Fraser-Mackintosh, Mr.  
 F. Evans, A. Mr. Chaplin, 360; Q. Mr.  
 Hayden, A. Mr. Chaplin, 962  
*Terms of Reference*, Q. Mr. Buchanan, Mr.  
 T. M. Healy, A. Mr. Chaplin, 359  
*Welsh Names*, Q. Mr. T. Ellis, A. Mr.  
 Chaplin, 360

Overseers and Registration  
 Q. Mr. P. O'Brien, A. Mr. Madden, 1510

Paddy Tax in Ceylon  
 Q. Mr. Haldane, A. Baron H. de Worms,  
 1919

PAGET, Sir R. H., *Somerset, Wells*  
 Friendly Societies and Stamp Duty, 148  
 Manchester, Sheffield, and Lincolnshire  
 Railway (Extension to London, &c.) Bill,  
 685  
 Small Agricultural Holdings Bill, 861, 870,  
 882, 891

Parcel-Post Baskets  
 Q. Mr. Causton, A. Sir J. Gorst, 1891

Pariah Population in South India  
 Q. Mr. Buchanan, A. Mr. Curzon, 978

PARKER, Mr. C. S., *Perth*  
 Education and Taxation Relief (Scotland)  
 Bill, 45, 46, 208  
 Electors Qualification and Registration Bill,  
 1813  
 Local Authorities (Purchase of Land  
 114  
 Small Agricultural Holdings Bill, 114, 400

## Parliament

### LORDS—

#### Sat First

5 May—Earl of Denbigh, after the death of  
 his father  
 Lord Heytesbury, after the death of  
 his grandfather  
 Lord Romilly, after the death of his  
 father  
 13 May—Earl of Devon, after the death of  
 his nephew  
 20 „ —Earl of Berkeley, after the death of  
 his father

#### Sittings of the House

Q. Earl of Kimberley, A. Marquess of Salis-  
 bury, 23 May, 1509

#### Standing Committees

Committee of Selection added Lord Wemyss,  
 1509

#### Stamford Peerage

Report that William Grey hath made out  
 his claim to the title, &c. 6 May, 273

#### Took the Oath

3 May—Dunalley, Lord, 1

### COMMONS—

*Business of the House*, Mr. A. J. Balfour, 3  
 May, 64; Q. Mr. Macartney, Dr. Tanner,  
 Dr. Farquharson, A. Mr. A. J. Balfour, 4  
 May, 140; Q. Mr. W. E. Gladstone, Mr.  
 Sexton, Mr. Knox, A. Mr. A. J. Balfour,  
 Mr. Speaker, Mr. Goschen, 5 May, 191,  
 193; Q. Mr. Bryce, Mr. Sexton, A. Mr.  
 A. J. Balfour, 6 May, 335; Q. Dr. Farqu-  
 harson, Mr. Campbell-Bannerman, Mr. J.  
 Morley, Mr. Labouchere, Mr. Sexton, Mr.  
 T. Ellis, A. Mr. A. J. Balfour, 9 May,  
 373, 375; Q. Dr. Tanner, A. Mr. A. J.  
 Balfour, 10 May, 518; Q. Dr. Tanner, A.  
 Mr. A. J. Balfour, 11 May, 664; Q. Mr.  
 Mac Neill, Mr. Picton, A. Mr. A. J. Bal-  
 four, 13 May, 835; Q. Mr. W. E. Glad-  
 stone, Mr. S. Keay, Mr. H. Fowler, Mr.  
 Bryce, Mr. S. Evans, Mr. Sexton, Mr. T.  
 Ellis, Mr. Conybeare, A. Mr. A. J. Balfour,  
 12 May, 729; Q. Mr. S. Smith, Mr. Bryce,  
 Mr. Labouchere, Mr. Sexton, Mr. Dalziel,  
 A. Mr. A. J. Balfour, 17 May, 1130; Q.  
 Mr. John Ellis, Mr. Dalziel, A. Mr. A. J.  
 Balfour, 19 May, 1308; Q. Mr. W. Red-  
 mond, Mr. Sexton, Mr. P. O'Brien, Mr.

**PARLIAMENT—Commons—cont.**

Labouchere, Sir W. Lawson, A. Mr. A. J. Balfour, 20 *May*, 1448; Q. Lord Henry Bruce, Mr. J. Ellis, Mr. Brand, Mr. H. Gardner, Mr. Bryce, Mr. Bartley, Mr. J. Morley, Dr. Farquharson, A. Mr. A. J. Balfour, Sir C. J. Pearson, Mr. Goschen, Sir J. Gorst, 23 *May*, 1533-1535; Q. Mr. T. M. Healy, A. Sir J. Gorst, 1640; Q. Mr. Robertson, Mr. T. M. Healy, Mr. Webb, Mr. Baumann, Sir W. Lawson, A. Mr. A. J. Balfour, 24 *May*, 1672; Q. Colonel Nolan, Dr. Tanner, A. Sir J. Gorst, 25 *May*, 1856

*Formation of a Quorum*, Q. Mr. Sexton, A. Mr. Speaker, 18 *May*, 1181

**Committees**

*Ascension Day*, Not to Sit till 2 o'clock, 25 *May*, 1855

*Selection*, Names Withdrawn and Added, 4 *May*, 65; 13 *May*, 892; 20 *May*, 1507

**Members**

*Right to Visit Prisons*, Q. Mr. Patrick O'Brien, A. Mr. Madden, 20 *May*, 1892

**Miscellaneous**

*Personal Explanation*, Mr. Pritchard Morgan and Mr. Goschen, 189

*Printing Paper, Quality of*, Q. Mr. Baumann, A. Sir J. Gorst, 10 *May*, 515

*Reporting*, 370; Select Committee Ordered, 25 *May*, 1783; 26 *May*, 2020

**New Member Sworn**

12 *May*—William Robert Bousfield, Esquire, for Hackney, North Division

**New Writ Issued**

8 *May*—For Hackney, North Division, r. Sir Lewis Pelly, deceased

**Palace of Westminster**

*Strangers Gallery Accommodation*, Q. Dr. Tanner, A. Mr. Plunket, 26 *May*, 1894

*Trees on Terrace*, Q. Dr. Tanner, A. Mr. Plunket, 26 *May*, 1915

Vote in Supply, 1943

**Parliamentary Deposits and Bonds Bill**

[c. No. 360]

Intro. Mr. Courtney; Read 1<sup>o</sup>, 1408  
Com. Reso. 1167

**Parliamentary Electors Return**

Q. Mr. Labouchere, A. Mr. Matthews, 1444

**Parliamentary Franchise (Extension to Women) Bill** [c. No. 37]

Withdrawn, 935

**Parliamentary Papers**

Q. Mr. Baumann, A. Sir J. Gorst, 515

**Parliamentary Reporting Committee**

Q. Mr. Morton, A. Mr. A. J. Balfour, 370; Select Com. Ordered, Q. Mr. T. M. Healy, Dr. Tanner, Mr. Johnston, Mr. Akers-Douglas, 1783; Select Com. Nominated, 2020

**Patents, England and America**

Q. Mr. Summers, A. Sir M. H. Beach, 183

**Patent Office Journal**

Q. Mr. James Ellis, A. Sir M. H. Beach, 1294

**PAULTON, Mr. J. M., Durham, Bishop Auckland**

Boys in the Army, 967

Royalty Rents in Durham, 282

**Pauper Aliens**

Q. Colonel Sandys, A. Mr. Matthews, 1916

**Pauper Labour Disqualification Removal Bill** [c. No. 317]

Intro. Sir W. Lawson; Read 1<sup>o</sup>, 64

**Pauper Regulations—Work and Class**

Q. Mr. Harrison, Mr. Rankin, A. Mr. Ritchie, 277

**PEARSON, RIGHT HON. SIR C. J. (Lord Advocate), Edinburgh and St. Andrew's Universities**

Access to Mountains, 969, 1534

Access to Mountains (Scotland) (No. 2) Bill, Intro. 1927

Allotments (Scotland) Bill, Intro. 936

Burgh Police and Health (Scotland) Bill, 313, 314, 317, 319, 320, 321, 322, 324, 326, 327, 328, 331, 332, 1153, 1156, 1157, 1158, 1159, 1160, 1161, 1162, 1163, 1164

Corn Mills, Upholding of, 1445

Cottars in South Uist, 507

County Court Costs, 1113

Crofters Holdings (Scotland) Act, 568

Education and Local Taxation Relief Bill, 36, 38, 40, 43, 44, 56, 197, 212, 213, 216, 225

Education (Scotland) Law Amendment Bill, 1505

Glasgow Police Bill, 1110

Greenock Parochial Board, 694

Herring Fisheries, 283

Housing of Working Classes, 1129

Improvement Works, Highlands, 512

Procurators Fiscal and Crofters, 1658

Public Health (Scotland) Provisional Order (Bathgate Water) Bill, Intro. 936

Public House Closing Hours, 344

Removal Terms, Scotland, 1659

Roads and Bridges Acts Amendment Bill, 62

Rothsay School Board, 952

Scotch Prison Officials Pay, 972

Skene School Board, 355

Sunday Closing of Hotels, 950



PEASE, Mr. H. Fell, *York, N.R., Cleveland*

Militia Canteens, 1309

PEASE, Sir Joseph W., *Durham, Barnard Castle*

Electors Qualification and Registration Bill, 1853

Railway Rates, &c. (North Eastern) Bill, 499

PEMBROKE, Earl of

Jury Service of Volunteers, 1423

Penalties under Education Acts

Q. Mr. Ainslie, A. Mr. Matthews, 1914

Penòlebury Colliers and Mr. Leresche, 1898

PENN, Mr. John, *Lewisham*

"Royal Sovereign," Engine Room Artificers, 155

Pensions

Greenwich Age, 1445

Medical Officers, 367

Persian Tobacco Concession

Q. Mr. Labouchere, Mr. Bartley, Mr. C. Graham, Mr. Picton, Mr. Timothy Healy, A. Mr. J. W. Lowther, Mr. Speaker, 1520-1522; Q. Mr. Picton, A. Mr. J. W. Lowther, 1659; Q. Mr. Labouchere, A. Mr. J. W. Lowther, 1903

Debate in Supply, 1944, 1960

Personal Explanations, see Parliament

Perth, Cattle Disease at, 1433

Petroleum Steamers in Suez Canal

Q. Mr. Randell, A. Mr. J. W. Lowther, 719; Q. Mr. Craig, A. Mr. J. W. Lowther, 964; Q. Mr. Brunner, A. Lord G. Hamilton, 965; Q. Mr. Grotrian, Mr. Aird, A. Mr. J. W. Lowther, 1120; Q. Mr. Craig, Mr. R. Cooke, A. Mr. J. W. Lowther, 1299; Q. Mr. Fenwick, Mr. D. Randell, A. Mr. J. W. Lowther, 1907

Petroleum Storage

Q. Mr. Causton, A. Mr. Matthews, 1129

Petty Sessions Clerk, Voting for

Q. Mr. Flynn, A. Mr. Madden, 1524

PHILIPPS, Mr. J. W., *Lanark, Mid*

Education and Local Taxation Relief Bill, 57

Standing Committee on Law, 1451, 1464

Superannuation Acts Amendment (No. 2) Bill, 229, 232, 249, 250

PICKERSGILL, Mr. E. H., *Bethnal Green, S.W.*

Betting Prosecutions, 4

Manchester, Sheffield, and Lincolnshire Railway (Extension to London, &c.) Bill, 678, 686, 891

PICTON, Mr. J. A., *Leicester*

Business of the House, 835

Municipal Corporations Act (1882) Amendment Bill, 613, 650

Persian Tobacco Concession, 1522, 1659

Polynesian Labour in Queensland, 832, 971, 1979

Silver Currency Conference, 824

Vaccination Commission, 1518

Ways and Means, 1059, 1081

Pier and Harbour Provisional Orders Bills

(No. 1)

[c. No. 256]

Com. Rep. 272

Read 3<sup>o</sup>, and passed, 335

l. from c.; Read 1<sup>a</sup>, 339

Read 2<sup>a</sup>, and com. 937

(No. 2)

[c. No. 304]

Read 2<sup>o</sup>, 484

Rep. with Amendts. 1406

Considered, 1507

Read 3<sup>o</sup>, and passed, 1639

(No. 3)

[c. No. 335]

Intro. Sir M. H. Beach; Read 1<sup>o</sup>, 596

Read 2<sup>o</sup>, 1168

Rep. with Amendts. 2020

(No. 4)

[No. 368]

Intro. Sir M. H. Beach; Read 1<sup>o</sup>, 1784

(No. 5)

[No. 369]

Read 1<sup>o</sup>, 1785

Pier for Fairnboy Bay, 1290

Pigeons, Shooting of Homing, 1303

Pilotage Provisional Order Bill

l. Read 3<sup>a</sup>, and passed, 1

PINKERTON, Mr. J., *Galway*

Galway Infirmary Bill, 822, 1634

Horse-Breeding Grants, 974

Irish Holdings, 699, 700

Kane's, Francis, Fair Rent Application, 702

Larne Workhouse, 1288

Montagu, Mrs. 957

Telegraph Clerks, 1302

PLAYFAIR, Right Hon. Sir Lyon, *Leeds, S.*

Education and Taxation Relief (Scotland) Bill, 49

Pleuro-Pneumonia Orders

Q. Viscount Cranborne, Mr. H. Gardner, A. Mr. Chaplin, 515; Q. Mr. R. Chamberlain, A. Mr. Chaplin, 1920

Inoculation as a Preventative, 963

**PLOWDEN, Sir William C., *Wolverhampton, W.***

- Indian Councils Act Amendment Bill, 311
- Madras Presidency, 1660
- Qualifications of Guardians and Vestrymen, 712
- Superannuation Acts Amendment Bill, 244

**PLUNKET, RIGHT HON. D. R. (First Commissioner of Works), *Dublin University***

- Accommodation for Strangers Coats, &c. 1894
- "Kew Bulletin," 1289
- Kew Gardens, Early Opening, 1296; Refreshments, 1919
- Labourers in Royal Parks, 826
- National Gallery, 176
- New General Post Office, 973
- Supply—Kew Gardens, 1940, 1942
- Linlithgow Palace Vote, 1937, 1939
- Palace of Westminster, 1943
- Trees on Terrace at Westminster, 1915
- Wellington Place, Re-paving, 1531

**Plural Voting (Abolition) Bill [c. No. 42]**  
2R. Debate, 1181, Amendt. carried, 1244

**Poaching in Forest of Dean**  
Q. Mr. Samuelson, A. Mr. Matthews, 9

**Police and Sanitary Regulations Bills**  
Select Com. Increased, and Sub-divided, 1508

**Police at Irish National Federation Meetings**  
Q. Mr. Sexton, A. Mr. Jackson, 947

**Police Constables as Firemen**  
Q. Mr. S. Hoare, A. Mr. Matthews, 357

**Police, Dockyard, Allowances, 1282**

**Police Inspectors Fund, 1901**

**Police on Sir G. Colthurst's Estate**  
Q. Dr. Tanner, A. Mr. Jackson, 371

**Police Returns Bill [c. No. 376]**  
Intro. Mr. Matthews; Read 1<sup>o</sup>, 2022

**Police Vote, Vestry Elections**  
Q. Mr. P. O'Brien, A. Mr. Matthews, 372, 962

**Political Economy**  
*Diplomatic Service*, Q. Mr. Leveson-Gower, A. Mr. J. W. Lowther, 1886  
*Irish School Books*, Q. Mr. Sexton, A. Mr. Jackson, 177

**Political Prisoners, Gold Coast, 1114**

**Polynesian Labour in Queensland**

- Q. Earl of Kimberley, A. Lord Knutsford, 141-147; Q. Mr. S. Smith, Mr. Howard, A. Baron H. de Worms, 173, 175, 356; Q. Mr. Winterbotham, Mr. Picton, Dr. Clark, A. Baron H. de Worms, 831; Q. Mr. S. Smith, Mr. Winterbotham, Mr. Picton, A. Baron H. de Worms, 969; Q. Sir R. Lethbridge, Mr. J. Ellis, Mr. C. Graham, Mr. Winterbotham, A. Baron H. de Worms, 971; Q. Mr. S. Smith, Mr. J. Ellis, Mr. Winterbotham, Mr. Bryce, A. Baron H. de Worms, 1121, 1123; Q. Mr. J. Ellis, Mr. C. Graham, A. Baron H. de Worms, 1515; Q. Mr. S. Smith, Mr. C. Graham, Mr. John Ellis, A. Baron H. de Worms, 1887-1890
- Debate in Supply, 1961-2000

**Poor Law Medical Officers**  
Q. Mr. Hayden, A. Mr. Jackson, 964

**Poor Law Schools (Ireland) Bill [c. No. 276]**  
2R. deferred, 1084

**Poor Rate (Metropolis) Bill [c. No. 67]**  
Withdrawn, 1168

**Postal Order Regulations**  
Q. Mr. E. Holden, Mr. Barclay, A. Sir J. Fergusson, 1297, 1298

**Post Cards, Size of**  
Q. Mr. Webb, A. Sir J. Fergusson, 728

**Post Cards with Adhesive Stamps**  
Q. Mr. Bigwood, A. Sir J. Fergusson, 1910

**Post Office Act (1891) Amendment Bill**  
[c. No. 364]  
Intro. Sir J. Fergusson; Read 1<sup>o</sup>, 1536  
Alteration of Title moved, 1783  
Withdrawn, 2020

**Post Office Act (1891) Extension Bill**  
[c. No. 378]  
Intro. Sir J. Fergusson; Read 1<sup>o</sup>, 1926

**"Post Office London Directory"**  
Q. Mr. Webb, A. Sir J. Fergusson, 153

**POST OFFICE**

- Postmaster General—*Right Hon. Sir James Fergusson*
- Aberdeen Night Mails*, 1918
- American Mails, Rival Routes*, 1514
- Australian Mails*, 1114
- Central Africa Postal Service*, 508
- City Postal Delays*, 343
- Edinburgh Telegraph Staff*, 155
- Financial Secretary's Holidays*, 948
- General Post Office, Erection of*, 973
- Letter Boxes, Cost to Sub-Offices*, 1518

**POST OFFICE—cont.**

*Letters Officially Re-directed*, 274  
*Parcel Post Baskets*, 1891  
*Parliamentary Papers Free*, 716, 1515  
*Postal Order Regulations*, 1297  
*Post Cards, Size*, 728 ; *Plain*, 1910  
*Postmen's Badges, Distribution of*, 1900  
*Post Office Act (1891) Amendment and Extension Bills*, 1536, 1783, 1927  
*"Post Office London Directory,"* 153  
*Preece, Mr., Services of*, 1443  
*Provincial Postal Assistance*, 953  
*Provincial Postal Inspectors*, 1901  
*Re-direction of Letters*, 716  
*Registered Letters, Number of*, 1513  
*Sunday Mails from London*, 278, 716  
*Transatlantic Mail Routes*, 1514

**Ireland**

*Ardfert Telegraph Office*, 359  
*Ballinamore Posts*, 1289  
*Ballymore Postal and Telegraphic Services*, 1286, 1287  
*Belfast Postal Delivery*, 352  
*Cork Mails, Acceleration*, 10, 364  
*Donegal and Strabane Mails*, 355  
*Drimnin, Telegraph to*, 345  
*Enniskillen Mails, Delay in*, 1894  
*Fenit, Telegraph for*, 358  
*Knockananna, Letters for*, 1296  
*Lisburn Post Office*, 1113  
*Londonderry Telegraphic Staff*, 352  
*Louisburg, Telegraph for*, 1290, 1902  
*Macroom Post Office*, 10  
*Post Office Assistants*, 1893  
*Rathrilly Telegraph Guarantee*, 714  
*Savings Bank Deposits*, 1897  
*Sunday Labour, Dublin Office*, 949  
*Wexford Mail Service*, 1301, 1432, 1517  
*Woodford and Whitegate Posts*, 353

**Telegraphs**

*Charges for Double Words*, 1910  
*Edinburgh Telegraph Staff*, 155  
*Electrical Engineer's Service*, 1442  
*Promotion at Central Office*, 1431  
*Special Telegraph Duty*, 349  
*Telegrams Divulged*, 154  
*Telephone, &c., Legislation*, 1437 ; *Bill Intro.* 1926  
*Whit Monday and Clerks*, 1302

**POWELL, Mr. F. S., Wigan**

*Glasgow Police Bill*, 1097  
*Public Health Acts Amendment Bill*, 1505, 1506

**Preece, Mr. W. H., Services of**, 1442**PRICE, Captain G. E., Devonport**

*Christ's Hospital and Naval Officers*, 176  
*Naval Rations*, 158

**Primogeniture Abolition Bill [c. No. 344]**

*Intro. Mr. McCartan ; Read 1<sup>o</sup>*, 816

**Prison, Births in**, 348**Prison Chaplains, Catholic**, 5, 276**Prison Clothes, Salvationists**

*Q. Mr. Fowler, Mr. Channing, A. Mr. Matthews*, 189

**Prison Officials, Scotland**

*Q. Mr. Esslemont, A. Sir J. Gorst*, 344 ; *A. Sir C. J. Pearson*, 972

**Prison Warders Pay, &c.**

*Q. Mr. Labouchere, A. Mr. Matthews*, 1441 ; *Military Pay, &c.* 697

**Prisoners Wearing Own Clothes**

*Q. Mr. Rowntree, A. Mr. Jackson*, 350

**"Proclaimed" Meetings, Ireland**

*Ballyclough*, 154, 700  
*Inniscarra, Q. Mr. Hayden, Mr. Sexton, Mr. P. O'Brien, A. Mr. Jackson*, 960

**Procurators Fiscal and Crofter Cases**

*Q. Mr. Caldwell, A. Sir C. J. Pearson*, 1658

**Promotion of Magistrates**, 1291**Provincial Postal Assistance**

*Q. Mr. Mac Neill, A. Sir J. Fergusson*, 953  
*Inspectors, Q. Earl Compton, A. Sir J. Gorst*, 1901

**Public Accounts Committee**

*Second Report pres.* 663  
*Third Rep. brought up*, 1788

**Public Authorities Protection Bill**

*l. Rep. from Standing Com.* 485  
*Com. Rep. with Amendts.* 1247  
*Read 3<sup>rd</sup>, and sent to c.* 1427

**Public Elementary Schools Bill [c. No. 371]**

*Intro. Mr. Ritchie ; Read 1<sup>o</sup>*, 1785

**Public Health Acts Amendment Bill [c. No. 224]**

*Read 2<sup>o</sup>, and com.* 596  
*Com. R.P.* 1407  
*Com. R.P.* 1505

**Public Health Amendment Act**

*Q. Mr. J. McCarthy, A. Mr. Jackson*, 3

**Public Health (Scotland) Provisional Order (Bathgate Water) Bill** [c. No. 348]

Intro. Sir C. J. Pearson; Read 1<sup>o</sup>, 936  
Read 2<sup>o</sup>, and com. 1639

**Milnathort Water** [No. 280]

Rep. without Amendt. 815  
Read 3<sup>o</sup>, and passed, 935

**Public House Closing Hours**

Q. Dr. Cameron, A. Sir C. J. Pearson, 344

**Public Libraries Law Consolidation Bill**

[c. No. 143]

Change of Member of Com. 335  
Report from Select Com. and Re-com. [No. 370], 1787

**Public Meetings in Schoolrooms**

Q. Mr. H. Gardner, A. Sir W. Hart Dyke, 179

**Public Petitions Committee**

Eighth Rep. brought up, 137  
Ninth Rep. brought up, 663  
Tenth Rep. brought up, 1405  
Eleventh Rep. brought up, 1855

**Qualifications, Guardians and Vestrymen, 712**

**Queensland, Polynesian Labour in, 144, 173, 356, 831, 969, 1121, 1516, 1887, 1961**

Correspondence pres. 1408

**Railway Communication in Scotland**

Q. Mr. A. Sutherland, A. Mr. A. J. Balfour, 512

**Railway Excursion Dangers, 1922**

**Railway Rates**

Q. Mr. Royden, A. Sir M. H. Beach, 181;  
Q. Mr. H. Fowler, A. Sir M. H. Beach, 1885

**Railway Rates and Charges Provisional Order Bills**

**Abbotsbury &c.** [No. 4]

l. Amendts. agreed to, 1786

**Midland and South Western Junction** [No. 7]

l. Amendts. agreed to by c. 1787

**Taff Vale, &c.** [No. 8]

l. Amendts. agreed to by c. 1787

**Cambrian, &c.** [No. 10]

c. Read 3<sup>o</sup>, 138  
l. Read 2<sup>a</sup>, and com. 820

**Cleator and Workington** [No. 14]

c. Read 3<sup>o</sup>, 138

[cont.]

**Railway Rates and Charges Provisional Order Bills—cont.**

**Isle of Wight, &c.** [No. 15]

c. Read 3<sup>o</sup>, 138

**Athenry and Ennis, &c.** [No. 25]

l. Amendts. agreed to by c. 1787

**East London, &c.** [No. 196]

l. Amendts. agreed to by c. 1787  
c. Rep. from Joint Com. read, 1085

**North Eastern, &c.**

Consideration of Schedule, 1485; Read 3<sup>o</sup>, and passed, 506

**Railways, Assaults on, 183**

**RANDELL, Mr. D., Glamorganshire, Gower**

Petroleum in Suez Canal, 719, 1906

**RANKIN, Mr. J., Herefordshire, Leominster**

Classification of Paupers, 277

**RASCH, Major F. C., Essex, S.E.**

Boys in the Army, 968  
Sheerness Dredging and Fisheries, 11  
Small Agricultural Holdings Bill, 392

**RATHBONE, Mr. W., Carnarvonshire, Arfon**

Local Government (Ireland) Bill, 1351  
Small Agricultural Holdings Bill, 531, 874, 879, 881, 1057  
Ways and Means, 1057

**Rathvilly Telegraph Station**

Q. Dr. Tanner, A. Sir J. Fergusson, 714

**Re-afforestation of Ireland**

Q. Mr. Harrison, A. Mr. Jackson, 13, 184

**Reckless Bicycle Riding, 275**

**Recreation Grounds Bill** [c. No. 201]

2R. deferred, 136  
Read 2<sup>o</sup>, and com. 815  
Com. R.P. 1788

**Re-direction of Letters**

Q. Mr. Leng, A. Sir J. Fergusson, 716; see also 274

**REDMOND, Mr. W. H. K., Fermanagh, N.**

Business of the House, 1448, 1449  
Enlistment under Age, 1525  
Local Government (Ireland) Bill, 1585

**REED, Mr. H. Byron, Bradford, E.**

British Emigrants to Brazil, 1448  
Macclesfield School Board, 692  
Sheerness Dockyard, 182



- Reformatory and Industrial Schools Acts**  
 Q. Obs. Lord Norton, Lord De Ramsey, 1255  
*Emigration*, Q. Obs. Lord Monkswell, Lord De Ramsey, Earl of Kimberley, 1256-1266
- Refreshments, Kew Gardens, 1919**
- Registered Letters**  
 Q. Mr. H. Heaton, A. Sir J. Fergusson, 1513
- Registration of Holdings, Ireland**  
 Q. Mr. Knox, A. Mr. Madden, 1292
- Registration of Titles Office (Ireland)**  
 Q. Mr. McCartan, A. Mr. Madden, 150
- REID, Mr. Robert T., Dumfries, &c.**  
 Burgh Police and Health Bill, 322  
 Education and Local Taxation Relief Bill, 201  
 Small Agricultural Holdings Bill, 381, 387, 408, 412, 419, 757, 765, 869, 1160
- Removal Terms, Scotland**  
 Q. Sir D. Currie, A. Sir C. J. Pearson, 1659
- RENDEL, Mr. Stuart, Montgomeryshire**  
 Birmingham Corporation Water Bill, 1863, 1873
- Rentcharge of Small Holdings**  
 Q. Mr. S. Keay, A. Mr. Speaker, 825
- RENTOUL, Mr. J. A., Down, E.**  
 Local Authorities (Purchase of Land) Bill, 84, 118  
 Local Government (Ireland) Bill, 1591
- Resident Magistrates' Promotion**  
 Q. Mr. Knox, A. Mr. Jackson, 1291
- Revenue Officers and Agricultural Returns**  
 Q. Mr. Conybeare, A. Mr. Goschen, 703
- Revising Barristers in Ireland**  
 Q. Sir T. Esmonde, A. Mr. Jackson, 714
- Revolver Carrying without Licences**  
 Q. Mr. Joyce, A. Mr. Matthews, 1513
- Revolvers, Use of**  
 Q. Sir J. Bain, A. Mr. Matthews, 511
- Rice Crops, Tax on, 1919**
- Richmond Prison, Dublin**  
 Q. Mr. T. M. Healy, A. Mr. Jackson, 1665;  
 Q. Mr. T. M. Healy, A. Mr. Jackson, Mr. Brodrick, 1912
- Right of Members to visit Prisons**  
 Q. Mr. P. O'Brien, A. Mr. Madden, Mr. Matthews, 1436
- Right of Way, Curragh, 510, 961**
- RITCHIE, Right Hon. C. T. (President of the Local Government Board), Tower Hamlets, St. George's**  
 Allotments, Rents of, 187  
 Foreigners in Great Britain, 279  
 Franchise and Poor Law Relief, 6, 7  
 Guardians and Vestrymen's Qualifications, 712  
 Local Authorities (Purchase of Land) Bill, 77, 123, 129, 133  
 Medway Guardians, Forged Votes, 160, 161  
 Pauper Regulations, 277, 278  
 Public Elementary Schools Bill, Intro. 1785  
 Small Agricultural Holdings Bill, 395, 397, 399, 867, 874  
 Small-Pox at King's Norton, 152, 153  
 Tuberculosis Commission, 824  
 Vaccination Commission, 712  
 Vestrymen and Voting Penalties, 517
- Roads and Bridges (Scotland) Acts Amendment Bill [c. No. 232]**  
 Re-com. 61, Rep. with Amendt. 62  
 Re-com. New Clause, Read 3<sup>o</sup>, 1083  
 Commons Amendts. agreed to, 1509
- ROBERTS, Mr. J. Bryn, Carnarvonshire, Eifion**  
 Birmingham Water Bill, 1874  
 Small Agricultural Holdings Bill, 763
- ROBERTSON, Mr. E., Dundee**  
 Education and Taxation Relief Bill, 55, 57, 223  
 Infants (Betting and Loans) Act, 827  
 Secretaries of State (Seats in the House of Commons) Bill, 936  
 Standing Committee on Law, &c. 1461
- Robinson, Miss, and Army Chaplains**  
 Q. Mr. S. Smith, Mr. MacNeill, A. Mr. Brodrick, 694
- ROBY, Mr. H. J., Lancashire, S.E., Eccles**  
 Illiterate Voters, 924  
 Ordnance Survey, 136  
 Pendlebury Colliers and Mr. Leresche, 1898  
 Superannuation Acts Amendment Bill, 247
- ROLLIT, Sir Albert K., Islington, S.**  
 Coroners in Boroughs Bill, 1168  
 Corporations (Stamp Duties) Bill, 664  
 Education Code 1892, 593  
 Electors Qualification and Registration Bill, 1851  
 Local Government (Ireland) Bill, 1577  
 Public Health Acts Amendment Bill, 1505  
 Railway Rates, &c. (North Eastern) Bill, 498

- ROSCOE, Sir Henry E., *Manchester, S.***  
Coal-Gas Stills, 1126  
Universities Ordinances (Scotland), 465
- Roscommon, Extra Police**  
Q. Mr. Hayden, A. Mr. Madden, 1435
- Roscrea Labourers Cottages, 1301**
- Rothsay School Board Grant**  
Q. Dr. Cameron, A. Sir C. J. Pearson, 952
- ROTHSCHILD, Baron F. J. de, *Bucks, Aylesbury***  
Small Agricultural Holdings Bill, 1140, 1141
- ROUND, Mr. J., *Essex, N.E., Harwich***  
Eastbourne Improvement Act Amendment Bill, 1280
- ROWLANDS, Mr. James, *Finsbury, E.***  
Accoutrements Contract, 1520  
Manchester, Sheffield, and Lincolnshire Railway (Extension to London, &c.) Bill, 690  
Superannuation Acts Amendment (No. 2) Bill, 265, 269
- ROWLANDS, Mr. W. Bowen, *Cardigan-shire***  
Licences at Kingston-on-Thames, 966  
Sea Fisheries, 1176
- ROWNTREE, Mr. J., *Scarborough***  
Prisoners Wearing Own Clothes, 350  
School Board for London (Superannuation) Bill, 272  
Sea Fisheries, 1178  
Small Agricultural Holdings Bill, 855, 885
- Royal Parks, Labourers in**  
Q. Mr. Stuart, A. Mr. Plunket, 826
- "Royal Sovereign," H.M.S.**  
*Engine Trials*, Q. Mr. Penn, Mr. Gourley, A. Lord G. Hamilton, 155  
*Gunnery Trials*, 979
- Royalty Rents in Durham**  
Q. Mr. Paulton, A. Sir H. J. Selwin-Ibbetson, 282
- ROYDEN, Mr. T. B., *Liverpool, West Toxteth***  
Municipal Corporations Act (1882) Amendment Bill, 648  
Railway Rates, 181
- RUSSELL, Sir Charles, *Hackney, S.***  
Superannuation Acts Amendment (No. 2) Bill, 261
- RUSSELL, Sir George, *Berks, Wokingham***  
Local Authorities (Purchase of Land) Bill, 115
- RUSSELL, Mr. T. W., *Tyrone, S.***  
Arrears under Ashbourne Act, 369  
Belfast Postal Delivery, 352.  
Financial Relations Committee, 284  
Illiterate Voters, 912  
Licences in Donegal, 974  
Local Government (Ireland) Bill, 1539, 1682, 1689, 1722  
Plural Voting Abolition Bill, 1194, 1235  
Small Agricultural Holdings, 548
- St. George's Barracks**  
Q. Dr. Farquharson, A. Mr. Brodrick, 13.
- Salaries of Indian Officials**  
Q. Mr. S. Keay, A. Mr. Curzon, 180
- Sale of Goods Bill**  
l. Amendts. Rep. 1098  
Read 3<sup>a</sup>, and sent to c. 1509
- Sale of Intoxicating Liquors on Sundays Bill [c. No. 50]**  
Withdrawn, 596.
- Sale of Liquors to Children**  
Q. Mr. Johnston, Mr. Conybeare, A. Mr. Matthews, 715
- SALISBURY, MARQUESS OF (Prime Minister and Secretary of State for Foreign Affairs)**  
Conveyancing and Law of Property Act (1881) Amendment Bill, 666, 667, 670  
Sittings of the House, 1510
- Salisbury, Speech of Lord**  
Q. Dr. Tanner, A. Mr. A. J. Balfour, 336
- Salmon and Freshwater Fisheries Bill**  
[c. No. 258]  
Considered in Com. Rep. 272  
New Clause, Adj. 594
- Salvationists Prison Clothes, 189**
- SAMUELSON, Mr. G. B., *Gloucester, Forest of Dean***  
Poaching in Forest of Dean, 9
- SANDFORD, Lord**  
Sunderland's Charity Bill, 17  
Universities (Scotland) Act, 338, 339.
- SANDYS, Colonel T. M., *Lancashire, S.W., Bootle***  
Clergy Discipline (Immorality) Bill, 1528.  
Pauper Aliens, 1916
- SAUNDERSON, Colonel E. J., *Armagh, N.***  
Local Government (Ireland) Bill, 1606
- Savings Bank Deposits, Ireland**

**School Board for London (Superannuation) Bill** [c. No. 96]

2R. deferred, 272

**School Books and Political Economy**, 177**Schoolmasters, Charges Against**

Q. Mr. Addison, A. Sir W. H. Dyke, 188

**Schoolrooms for Meetings**, 179**School Superintendents Pay**

Q. Mr. Sexton, A. Mr. Jackson, 178

**Scotch Prison Officials**

Q. Mr. Esslemont, A. Sir C. J. Pearson, 972

**Scottish Churches**

Q. Mr. Buchanan, Mr. A. Sutherland, Dr. Clark, A. Mr. A. J. Balfour, 1922, 1924

**SCOTLAND**Secretary for—*Marquess of Lothian*Lord Advocate—*Right Hon. Sir C. J. Pearson*Solicitor General—*Mr. A. G. Murray**Access to Mountains*, 969, 1534*Access to Mountains (No. 2) Bill*, 1927*Allotments (Scotland) Bill*, 936*Burgh Police and Health Bill*, 313-333, 1153-1167*Corn Mills, Upholding of*, 1445*Cottars in South Uist*, 507*County Court Costs*, 1113*Crofters Holdings Act*, 568*Education and Local Taxation Relief Bill*, 15-60, 194-226*Education Law Amendment Bill*, 1505*Glasgow Police Bill*, 1095-1110*Greenock Parochial Board*, 694*Herring Fisheries*, 283*Housing of Working Classes*, 1129*Improvement Works, Highlands*, 512*Industrial and Truant Schools*, 1515*Procurators Fiscal and Crofters*, 1658*Public Health Provisional Order (Bathgate Water) Bill*, 936*Public House Closing Hours*, 344*Railway Communication*, 512*Removal Terms*, 1659*Roads and Bridges Acts Amendment Bill*, 62*Rothsay School Board*, 952*Scotch Prison Officials, Pay*, 344, 972*Skene School Board*, 355*Stamping Bills at Glasgow*, 720*Sunday Closing of Hotels*, 950*Sutherland, Piers in*, 185*Universities Ordinances*, 339, 1641**Seabrooke, Sergeant, R.I.C.**

Q. Mr. T. M. Healy, A. Mr. Jackson, 1663, 1664

**Sea Fisheries**

Reso. Mr. O. V. Morgan, 1169-1180

**Secretaries of State (Seats in the House of Commons) Bill** [c. No. 349]Intro. Mr. Robertson; Read 1<sup>o</sup>, 936**Security for Costs**, 1113**Seed Potatoes in Ireland**

Q. Mr. Knox, A. Sir J. Gorst, 982

**SELWIN-IBBETSON, Right Hon. Sir H. J., *Essex, Epping***

Royalty Rents in Durham, 282

**Serge Contract, Admiralty**, 1301**SETON-KARR, Mr. H., *St. Helen's***

Colonisation of British Columbia, 833

Foreign-made Glass Bottles, 1529, 1530

**SEXTON, Mr. T., *Belfast, W.***American Mails, *via* Queenstown, 1514

Belfast, Alleged Disturbance in, 1532, 1667, 1670, 1907, 1909

Business of the House, 193, 335, 375, 730, 1130, 1181, 1449, 1450

Corn Sales, Committee, 592

Criminal Evidence Bill, 191, 284, 296, 297, 307

District Registry in Belfast, Establishment of, 722

Dublin Barracks Improvement Bill, 594, 811, 814

Financial Relations Committee, 284

Illiterate Voters, 915, 922

Irish Eviction Returns, 701

Irish National Education Bill, 1086, 1088; Return, 13

Jurors, County Antrim, 693

Land Purchase Act Returns, 956

Local Government (Ireland) Bill, 1314, 1338, 1339, 1340, 1342, 1347, 1372, 1390, 1474, 1476, 1554, 1558, 1562, 1611, 1687, 1689

Magherafelt Courthouse, 149

M'Grath, John, Pension of, 947

Meeting at Inniscarra, 960

Municipal Corporations Act (1882) Amendment Bill, 643

National Education (Ireland) Return, 138

Plural Voting Abolition Bill, 1222, 1227, 1229, 1241

Police at Meetings, 947

Political Economy in School Books, 177

Poor Law Schools (Ireland) Bill, 1084

Public Health Amendment Act, 4

Salmon and Freshwater Fisheries Bill, 595

School Superintendents, Pay of, 178

Solicitors Apprentices (Ireland), 272, 593

Superannuation Acts Amendment (No. 2) Bill, 252, 1312

Suppression of Meetings in Cork, 700

Writs at Belfast, Issue of, 832

Shannon Bathing, 954

Shannon Fishermen and Bailiffs

Q. Dr. Tanner, A. Mr. Jackson, 714; Q. Mr. P. O'Brien, A. Mr. Jackson, 950; Q. Mr. P. O'Brien, A. Mr. Jackson, 1124, 1295

SHAW-STEWART, Mr. M. H., *Renfrew, E.*  
Crofters Holdings (Scotland) Act, 558  
Education and Local Taxation Relief Bill, 25

Sheep Scab, Cure for

Q. Dr. Tanner, A. Mr. Jackson, 1897

Sheerness Dockyard, Mobilisation

Q. Mr. B. Reed, A. Lord G. Hamilton, 182

Sheerness Dredging and Fisheries

Q. Major Rasch, A. Lord G. Hamilton, 11

Sheerness Gunnery Drill, 1900

Sheriff Courts (Scotland) Extracts Bill

l. Read 2<sup>a</sup>, and com. 1641

Shillelagh Poor Law Election

Q. Mr. P. O'Brien, A. Mr. Jackson, 945

Shiré and Lake Nyassa

Q. Mr. O. V. Morgan, Mr. Buchanan, Dr. Tanner, A. Mr. J. W. Lowther, 14

Shooting of Homing Pigeons

Q. Mr. Logan, A. Mr. Matthews, 1303

Shop Hours Bill

Select Com., Change of Member, 1508

Short Titles Bill

l. Commons Amendts. to be considered, 485

SIDEBOTHAM, Mr. J. W., *Cheshire, Hyde*

Meetings on Hyde Market, 1917

SIDMOUTH, Viscount

Mediterranean Survey, 1654, 1657

Silver Currency Conference

Q. Mr. Picton, A. Mr. Goschen, 824

SINCLAIR, Mr. W. P., *Falkirk, &c.*

Education and Taxation Relief (Scotland) Bill, 34, 43

Municipal Corporations Act (1882) Amendment Bill, 660

Singapore, Chinese Immigrants, 157

Skene School Board

Q. Dr. Farquharson, A. Sir C. J. Pearson, 355

Small Agricultural Holdings Bill [c. No. 183]

Com. 375, Amendts. R.P. 449

Com. 518, Divisions, R.P. 549

Com. 731, Divisions, R.P. 794

Com. 835, Divisions, R.P. 891

Com. 1131, Rep. [No. 355], 1153

Small-Pox at King's Norton

Q. Mr. Cobb, A. Mr. Ritchie, 152

SMITH, Mr. Abel, *Herts, E.*

Small Agricultural Holdings Bill, 845

SMITH, Mr. J. Parker, *Lanark, Partick*  
Church of Scotland Disestablishment, &c. 1761

Education and Local Taxation Relief Bill, 26, 40, 48, 199

Glasgow Police Bill, 1111

Plural Voting Abolition Bill, 1228

Street Accidents, 1529

Universities Ordinances (Scotland), 475

SMITH, Mr. Samuel, *Flintshire*

Army Chaplains, Miss Robinson and, 694

Business of the House, 1130

Chinese Immigrants, Singapore, 157

Hughes, Lemuel, Assault on, 707

Municipal Corporations Act (1882) Amendment Bill, 638, 640

Polynesian Labour in Queensland, 173, 356, 969, 1121, 1887, 1888, 1889; in Supply. 1961, 1962, 1971, 1973, 1976

Smokeless Powder Patents, 711

Soldiers and Ball Ammunition, 977

Soldiers and Shops

Q. Mr. C. Graham, A. Mr. Brodrick, 1901

Soldiers Children, Education of

Q. Sir T. Esmonde, A. Mr. Brodrick, 354

Solicitors Apprentices (Ireland)

Notice of Motion (Mr. Sexton), 272

Reports Ordered (Mr. Sexton), 593

South Uist Cottars, 506

Spanish Import Tariff

Q. Mr. Leng, A. Mr. J. W. Lowther, 829, 1447

Speaker, The (RIGHT HON. ARTHUR WELLESLEY PEEL), *Warwick and Leamington*

BUSINESS OF THE HOUSE

Mr. Sexton: May I ask you, Sir, looking at the delay in forming a quorum, is it not within your competence to direct the Serjeant-at-Arms to require the attendance of Members who may be sitting on Committees, or others who may be wasting time in other parts of this building?"

[cont.]



SPEAKER, THE—*cont.*

Mr. SPEAKER—

"Members sitting on Committees have had their attention drawn in the usual way, by the ringing of the bell, to the fact that the House was being counted with a view to form a quorum. If those Members please to come down from the Committee Rooms they may do so, but it would be a strong step on my part to interrupt in the way suggested what may be very important proceedings in Committee. I will, however, let those Members know that the House is waiting for a quorum. The Serjeant-at-Arms will inform Members of Committees that the House has been long waiting for a quorum."—18 May, 1181

### MISCELLANEOUS

Argumentative Question, 13 May, 826

Declining to allow Question, 20 May, 1469; 22 May, 1521

Irrelevancy, 19 May, 1366, 1367, 1368

Order of Debate, 6 May, 292, 305; 9 May, 483; 10 May, 592, 594; 20 May, 1464, 1465; 24 May, 1727-1783, 1784; 26 May, 1857, 1927, 1928, 1930

Suspension of Member:

Mr. Cuninghame Graham (interrupting): "What I want to know is, how do swindling shareholders in a company derive their funds?"

Mr. SPEAKER—

"Order, order! The conduct of the hon. Gentleman is such that I must name him to the House. I name you, Mr. Cuninghame Graham." . . . "The Question is, 'That the hon. Member be suspended from the service of the House.'"—4 May, 108

### RULINGS

Mr. Pritchard Morgan asking leave to move the Adjournment of the House,

Mr. SPEAKER—

"The hon. Member is not in Order. He has this evening got a Notice down traversing the Second Reading of a Bill on the Orders of the Day to the effect 'That, in the opinion of this House, no legislation will be satisfactory that does not deal fully with the administration of the Mines Royal of the United Kingdom of Great Britain and Ireland.'"

Mr. P. Morgan: "With the permission of the House I will withdraw the Motion."

Mr. SPEAKER—

"Order, order! The hon. Gentleman cannot do it."

Mr. P. Morgan: . . . "With your permission, I will move the Adjournment of the House for a personal explanation."

Mr. SPEAKER—

"The hon. Gentleman is not in Order. He complains of an expression used by the Chancellor of the Exchequer, and there is no doubt that the Chancellor of the Ex-

[*cont.*]

SPEAKER, THE—*cont.*

chequer will render an explanation of the expression which has given the hon. Gentleman offence."—5 May, 190

Mr. Knox: "I wish to know whether it will be competent for any Member, upon this Motion being put, to give Notice to-day that on the Motion being put to-morrow he will move an Instruction?"

Mr. SPEAKER—

"Notice for an Instruction to a Standing Committee will not attach to any Order of the Day, but will be an independent Motion."

Mr. Sexton: "Then, if the Bill were referred to a Standing Committee, it would be competent afterwards to move an Instruction to the Committee?"

Mr. SPEAKER—

"It would be perfectly in Order."

Mr. A. J. Balfour: "On a point of Order, and to prevent any misconception, do I understand your ruling to be that the Notice of Motion which is made by a private Member would stand with private Motions, and would come on with them, and would not come next in order to the Government Notice? I thought the hon. Gentleman gathered that he would have a right, if the Motion were carried, to move this Instruction. I understand your ruling to be that would not be so—that he would only have the privilege of a private Member, and would have to ballot for his place."

Mr. SPEAKER—

"I said a Motion for an Instruction would be an independent Motion, without precedence."

Mr. Sexton: "Then, it will be merely a matter of chance, and the right of a Member to move an Instruction to a Committee of this House will be destroyed?"

Mr. SPEAKER—

"Notice will have to be given of the Instruction. The Motion will be subject to the ballot. I understand the hon. Member asked me as to a point of Order."

Mr. Sexton: "I wish to know whether it is in Order to move to discharge an Order in Committee upon a Bill the House has already gone into?"

Mr. SPEAKER—

"It is unusual, but no progress was actually made."

Mr. Knox: "As it appears from the Notice Paper to-day, progress had actually been made with this Bill. The Chairman had reported Progress on the 4th April."

Mr. SPEAKER—

"That is the technical expression. The Chairman of Committees must report something. He reports 'Progress,' although no progress may have been actually made—no progress, in the present case, was actually made."—5 May, 193.

[*cont.*]

Shannon Bathing, 954

Shannon Fishermen

Q. Dr. Tanner, A.  
Mr. P. O'Brien,  
Mr. P. O'Brien  
1295

SHAW-STEWART  
Crofters Hold  
Education 2  
25

Sheep Sc.  
Q. Dr. "

Sheer  
Q. J

She  
C

S

Order for Com. Dublin Barracks Improve-  
ment Bill, read:—

Mr. SPEAKER—  
"The Instruction of which the hon. and  
learned Member for North Longford (Mr.  
T. M. Healy) has given Notice is not in  
order, inasmuch as it involves a public  
charge."

Mr. Timothy Healy explained his proposal.

Mr. SPEAKER—  
"I am afraid the hon. and learned Member's  
explanation does not make the Instruction  
the more in Order. The Secretary of State  
can only recoup the ratepayers of Dublin  
from the public funds."

Mr. T. M. Healy: "May I ask you, Sir,  
if I would be in Order in moving the In-  
struction down as far as the word  
"barracks," leaving out the last line and a  
half, so that the Corporation may establish  
the amount they have expended?"

Mr. SPEAKER—

"The hon. and learned Member may proceed  
so far."

[Later] Mr. Speaker: "Order, order! The  
hon. and learned Member is now speaking  
to the Amendment as a whole. He is  
arguing in favour of compensation being  
given from the Imperial Exchequer, and  
such a proposal, as I have informed the  
hon. and learned Gentleman, would not be  
in Order."—809

After further discussion,

Mr. SPEAKER—

"I have allowed the discussion to proceed,  
seeing that the Instruction in terms  
indicated the object as being to provide  
that the Dublin Corporation should show  
the amount expended upon the building.  
The last section of the Instruction given  
Notice of I have ruled out of Order, as in-  
volving a charge upon the Exchequer; but  
I now see, and it is evident from the  
speeches that have been delivered, that  
the same objection applies to the earlier  
part of the Instruction. With the inter-

[cont.

put upon it, I am bound to say  
the Instruction is not in Order."—12.  
Mr. 812

Admiral Field: "That fair decision we have  
not had from my point of view, for I have  
shown that one Member was committed  
by his previous action in reference to  
Torquay."

Mr. SPEAKER—

"The hon. and gallant Gentleman is not  
entitled to cast reflections on the action  
of Members on a Committee."—19 May,  
1278

On Superannuation Acts Amendment Bill,  
Com.

Mr. SPEAKER—

"The question is as to what tribunal this  
Bill shall be referred: whether it shall be  
considered in Committee of the whole  
House, or whether it shall go to a Select  
Committee. The merits of the Bill are  
not under discussion, and the hon. and  
gallant Gentleman is therefore out of  
Order in discussing the merits of the Bill.  
—19 May, 1310

Mr. Henniker Heaton: "I beg to call your  
attention, Sir, to the fact that the  
London County Council (Tramways) Bill  
was just now read a third time, notwith-  
standing the fact that there appear five  
Notices of opposition on the Notice Paper  
against the Motion for Third Reading."

Mr. SPEAKER—

"The Order was called in the usual way,  
and no hon. Member raised any opposition  
to the Motion for Third Reading. The  
hon. Member was himself standing at the  
Bar when the Order was called, but no  
objection reached me. It is not in my  
power now to go back upon the decision of  
the House."—23 May, 1570

Mr. Bartley: "On a point of Order I would  
ask whether the expression just used can  
be withdrawn, as it has been freely stated  
across the floor of the House that he has  
got it out?"

Mr. SPEAKER—

"I took notice of the expression, and, think-  
ing that the question might be answered,  
I requested that a question put in that  
form should not be answered; and I  
meant thereby to mark my sense that the  
expression was unparliamentary and alto-  
gether unsuited to this House."—23 May,  
1522

Deputy Speaker and CHAIRMAN OF  
COMMITTEES (RIGHT HON. L. H.  
COURTNEY), Cornwall, Bodmin

Irrelevancy, 3 May, 31; 5 May, 268; 6 May,  
313; 13 May, 847; 16 May, 1048, 1057

[cont.

SPEAKER, THE DEPUTY —*cont.*

Order of Debate, 3 May, 45, 62; 5 May, 202, 227, 231, 235, 253, 254, 268, 271; 6 May, 312, 316; 9 May, 384, 394, 395, 437; 10 May, 524, 549; 12 May, 743, 746, 778, 779, 781; 13 May, 849, 885; 16 May, 1046, 1057; 23 May, 1637; 26 May, 1942, 1961, 1962, 2016

Mr. Hunter: "I ask your ruling, Sir, on a point of Order. Am I right in my opinion that a decision on a Motion to omit a sub-section precludes an Amendment being proposed to this sub-section? I have an Amendment to propose the omission of the words 'Parochial Boards in Scotland.'"

The CHAIRMAN—

"The Question will be put in a form to preserve the possibility of such an Amendment if there is a desire to move it."

Mr. Esslemont: "I rise to Order, Sir. My Motion was to omit Sub-section 4."

The CHAIRMAN—

"The hon. Member for Aberdeen intimated his intention to move an Amendment altering the words 'Parochial Boards.' Consequently in putting the Question I did so in the form 'That 'in distributing the sum of £50,000' stand part of the Clause.' The Committee affirmed that Question, the words stand, and now the hon. Member for Aberdeen moves his Amendment."—3 May, 60

Mr. A. J. Balfour: "I am unwilling to put hon. Gentlemen a second time in the position of breaking faith deliberately——"

Mr. Buchanan: "I rise to Order. I beg to ask you, Sir, if the right hon. Gentleman is justified in using the words against hon. Gentlemen on this side that they broke faith deliberately?"

The CHAIRMAN—

"Whether the right hon. Gentleman is justified I do not know. It is perfectly consistent with Parliamentary usage."

Mr. Buchanan: "Do I take it from you, Sir, that the right hon. Gentleman was in Order in saying that hon. Gentlemen on this side deliberately broke faith?"

The CHAIRMAN—

"There are abundant precedents for such language."—5 May, 209

The CHAIRMAN—

"I understand the hon. Member desires to move an Amendment to this Bill referring to the desirability of adopting the representative principle in the Councils. The Preamble is always taken last, in order that it may be in perfect consistence with the Bill in its final shape. The Preamble would not be consistent with the Bill in its final shape if amended as proposed, and therefore the Amendment would be out of Order."—6 May, 312

SPEAKER, THE DEPUTY—*cont.*

Sir W. Foster: "My point is this—t right hon. Gentleman has endeavoured to misrepresent what I said."

The CHAIRMAN—

"Order, order!"

Mr. J. Chamberlain: "I submit to you, Sir, if that is in Order? The hon. Member says that I have endeavoured to misrepresent what he said."

The CHAIRMAN—

"I have called the hon. Member to Order, and I must ask him to withdraw."—9 May, 441

SPENCER, Earl

Endowed Charities (County of Northampton), 1509

Jury Service of Volunteers, 1426

Spirit Casks, "Grogging," 952

Spirits, British, Drawback, 277

Spirits in Bond, Warehouses, 958

Spurious Irish Woollen Goods

Q. Mr. J. O'Connor, A. Mr. Madden, 728

Stamp Duty and Friendly Societies

Q. Sir R. Paget, A. Mr. Goschen, 148

Stamping of Bills at Glasgow

Q. Mr. Hozier, A. Mr. Goschen, 719

Standing Committee on Law, &c.

Motion, Mr. A. J. Balfour, 1450; Reso. 1 68

STANHOPE, Hon. P., *Wednesbury*

Birmingham Water Bill, 1878

Railway Rates, &c. (North Eastern) Bill, 496

STANSFELD, Right Hon. J., *Halifax*

Electors Qualification and Registration Bill, 1789, 1809, 1810

Glasgow Police Bill, 1103

Municipal Corporations Act (1882) Amendment Bill, 651

State Records, Publication of

Q. Mr. Dalziel, A. Mr. A. J. Balfour, 1448

Statute Law Revision Bill

Joint Com. to meet, 64

Reso. for Joint Com. 820, 892

l. Bill referred to Select Com. 1089

Statutes of 1882, Reprinting

Q. Mr. W. H. Cross, A. Mr. Matthews, 1287

Steam Trawling, Irish Waters

Q. Mr. T. Harrington, A. Mr. Jackson, 965;

Q. Mr. Johnston, A. Mr. Madden, 1512

- STEPHENS, Mr. H. C., *Middlesex, Hornsey***  
 Small Agricultural Holdings Bill, 400, 402, 409, 412, 423, 787, 877
- STEVENSON, Mr. F. S., *Suffolk, Eye***  
 Electors Qualification and Registration Bill, 1827  
 Small Agricultural Holdings Bill, 377, 437, 439, 871, 883
- STEWART, Mr. Halley, *Lincolnshire, Spalding***  
 Small Agricultural Holdings Bill, 445, 446
- STEWART, Mr. Mark J., *Kirkcudbright***  
 Church of Scotland (Disestablishment, &c.), 1775  
 Education and Local Taxation Relief Bill, 33  
 Small Agricultural Holdings Bill, 871, 1162
- Still Births in England and other Countries**  
 Return (Viscount Grimston), 483
- Storage of Petroleum, 1129**
- STOREY, Mr. Samuel, *Sunderland***  
 Birmingham Water Bill, 1881  
 Railway Rates, &c. (North Eastern) Bill, 489, 490, 491, 495, 503  
 Small Agricultural Holdings Bill, 524, 527, 537, 545, 731, 742, 758, 774, 780  
 Superannuation Acts Amendment (No. 2) Bill, 226, 231, 238, 241, 245, 265, 725
- Stranger's Gallery Accommodation**  
 Q. Dr. Tanner, A. Mr. Plunket, 1894
- Street Accidents in London**  
 Q. Mr. Coghill, Mr. P. Smith, A. Mr. Matthews, 830, 1528
- STUART, Mr. J., *Shoreditch, Hoxton***  
 Electors Qualification and Registration Bill, 1849  
 Glasgow Police Bill, 1106  
 Labourers in Royal Parks, 826  
 Plural Voting Abolition Bill, 1204
- STUART WORTLEY, Mr. C. B. (see WORTLEY)**
- STURT, Hon. Humphrey N., *Dorset, E.***  
 Fire at Handley, 1532
- Sub-Contracting, Albany Barracks**  
 Q. Mr. Buxton, A. Mr. Brodrick, 1446
- Suez Canal and Petroleum, 719, 964, 1120, 1299, 1906**
- SULLIVAN, Mr. Donal, *Westmeath, S.***  
 Ballymore Post and Telegraph, 1285, 1286  
 Lighthouse Boat Attendance, 1513  
 Nugent, Hon. P. G., 1285  
 Wexford Mail Service, 1301
- SULLIVAN, Mr. T. D., *Dublin, College Green***  
 Electors Qualification and Registration Bill, 1821
- "Sultan," H.M.S.**  
 Q. Mr. Carew, A. Mr. Forwood, 720
- SUMMERS, Mr. W., *Huddersfield***  
 Assaults in Railway Carriages, 183  
 Cyprus Tribute, 1285  
 Drunkenness, 825  
 Gibraltar Sanitary Board, 185  
 Jebu Expedition, 1900  
 Licensing Clubs as Public Houses, 1899  
 Patents, England and America, 183  
 School Board, Walton-on-Thames, 717  
 Tariffs, West Indian Colonies, 1899  
 Vaccination Commission, 711, 1517
- Sunday Closing, Scotch Hotels**  
 Q. Mr. Baird, A. Sir C. J. Pearson, 949
- Sunday Duty, Militiamen, 506**
- Sunday Letter Receiving Offices**  
 Q. Mr. Cox, A. Sir J. Fergusson, 278, 716
- Sunday Postal Labour, Dublin**  
 Q. Mr. P. O'Brien, A. Sir J. Fergusson, 949
- Sunderland's Charity Bill [c. No. 296]**  
 Read 2<sup>o</sup>, and com. 63  
 Com., Read 3<sup>o</sup>, and passed, 137  
 l. Read 2<sup>o</sup>, and com. 817  
 Rep., Standing Com. negatived, 940  
 Read 3<sup>o</sup>, and returned to c. 1248
- Superannuation Acts Amendment (No. 2) Bill [c. No. 275]**  
 Considered in Com. R.P. 63  
 Com. 226, Divisions, R.P. 271  
 Committed to Select Com. 1309  
 Discussion on Members nominated, 1928
- Superannuation Acts Amendment Bill**  
 Q. Mr. John Ellis, A. Mr. A. J. Balfour, 722
- Supervisors, Inland Revenue, 1436**
- SUPPLY**  
 CIVIL SERVICES AND REVENUE  
 DEPARTMENTS.  
 VOTE ON ACCOUNT.  
 £4,632,350, Com. 26 May, 1931
- Suppression of Meetings, 154, 700, 933**



**SUTHERLAND, Mr. A., *Sutherland***

Access to Mountains Bill, 140  
Crofters Holdings (Scotland) Act, 590  
Improvement Works in the Highlands, 512  
Piers in Sutherlandshire, 184  
Railway Communication in Scotland, 512  
Roads and Bridges (Scotland) Bill, 62  
Scottish Churches, 1924

**Sutherland, Piers for Harbours**

Q. Mr. A. Sutherland, A. Sir M. H. Beach,  
184

**Swaziland and the Transvaal**

Q. Mr. Ainslie, A. Baron H. de Worms, 821

**TANNER, Dr. C. K., *Cork County, Mid***

American Mails *via* Cork, 364  
Army Medical Officers, 168  
Ballincollig Gunpowder Company, 516  
Business of the House, 517, 664, 1856  
Cork and Dublin Mails, 10  
Cork Lunatic Asylum, 372  
Customs and Inland Revenue Bill, 1636,  
1637, 1638  
Galway Infirmary Bill, 1786  
Illegal Fishing, Bandon River, 168  
Inspectors of Irish Fisheries Report, 713  
Irish Education Bill, 140  
Kenny's, Dr., Salary, 705  
Kew Gardens, Refreshments, 1919  
Labourers Cottages, Macroom, 175  
Lake Nyassa and Shire, 14  
Local Government (Ireland) Bill, 1612  
Macroom Post Office, 10  
Millstreet Allotments and Cottages, 184  
Nally, P. W., 514  
National Debt, Conversion of Bonds, 2018  
Naval Medical Officers, 11  
Parliamentary Debates Com. 1783  
Police, Sir G. Colthurst's Estate, 371  
Post Office Assistants, 1893  
Post Office Extension Bill, 1784  
Public Health Acts Amendment Bill, 1505  
Rathvilly Telegraph Station, 714  
Salisbury, Lord, Speech of, 336  
Shannon Fishermen, 714  
Sheep Scab Cure, 1897  
Stranger's Gallery Accommodation, 1894  
Superannuation Acts Amendment Bill, 234,  
242, 269  
Supply—Kew Gardens, 1939, 1942  
Palace of Westminster, 1943, 1944  
Telegraphic Charges, 1910  
Trees on Terrace at Westminster, 1915

**Target Practice Seawards**

Q. Obs. Lord Colville, Lord Balfour, 1090

**Telegraphs**

*Central Office, Promotion*, Q. Earl Compton,  
A. Sir J. Fergusson, 1430; *Whit-Monday*,  
Q. Mr. Pinkerton, A. Sir J. Fergusson,  
1302  
*Divulging Telegrams*, Q. Mr. Powell Williams,  
A. Sir J. Fergusson, 154  
*Double-Word Charges*, Q. Mr. Bigwood, Dr.  
Tanner, A. Sir J. Fergusson, 1910

**Telegraphs—cont.**

*Guarantees, Ireland*, Q. Mr. Maguire, A. Mr.  
Madden, 281  
*Special Duty*, Q. Mr. P. O'Brien, A. Sir J.  
Fergusson, 349

**Telegraphs Bill [c. No. 377]**

Intro. Sir J. Fergusson; Read 1<sup>o</sup>, 1925

**Telephone and Telegraph Legislation**

Q. Mr. Kimber, A. Sir J. Fergusson, 1437

**TEMPLE, Sir Richard, *Worcester, Evesham***

East India—Financial Statement, 935  
Education and Taxation Relief (Scotland)  
Bill, 224

**Tenure of Workmen's Houses Bill [c. No. 320]**

Intro. Mr. Crawford; Read 1<sup>o</sup>, 138

**THOMAS, Mr. Abel, *Carmarthen, E.***

Birmingham Water Bill, 1877

**THOMAS, Mr. David A., *Merthyr Tydvil***

Standing Committee on Law, 1467

**THORBURN, Mr. W., *Peebles and Selkirk***

Burgh Police and Health (Scotland) Bill,  
330

Löffler's, Professor, System of Destroying  
Mice, 721

Small Agricultural Holdings Bill, 542

**Tithe-Rent Receipts, 975****TOMLINSON, Mr. W. E. M., *Preston***

Access to Mountains Bill, 139  
Electors Qualification and Registration Bill,  
1796

**Town Holdings Committee**

Addition to Select Com. 137  
Change of Member, 335

**Tramore Battery and Pier**

Q. Mr. Webb, A. Mr. Forwood, Sir J. Gorst,  
282

**Transatlantic Mails**

Q. Mr. Lewis, Mr. Flynn, Mr. Sexton, A.  
Sir J. Fergusson, 1513

**Transvaal and Swaziland, 820****Trawling, Foreign Steamers, 965**

**TREASURY**

First Lord—*Right Hon. A. J. Balfour*  
 Chancellor of the Exchequer—*Right Hon. G. J. Goschen*

Joint Secretaries—*Right Hon. Sir J. E. Gorst*; *Right Hon. A. Akers Douglas*

*Advances, Irish Board of Works*, 352

*Coal-Gas Stills*, 1126

*Coinage, New Designs*, 828, 1523

*Consols and Irish Land Stock*, 369

*Cyprus Tribute*, 1283

*Financial Relations Committee*, 794-807

*Irish Fishery Harbour Loans*, 710

*Irish Loans and Post Office Deposits*, 1897

*National Debt (Conversion of Exchequer Bonds)*, 2018

*Silver Currency Conference*, 824

*Stamp Duty and Friendly Societies*, 148

*Superannuation Acts Amendment Bill*, 226-270, 723, 1309-1313

*Ways and Means Com.* 985-1083

*Treaty, Great Britain and United States of America (Behring Sea)*  
 Copy pres. 484

*Trees, Westminster Palace*, 1915

**TREVELYAN, Right Hon. Sir G. O.,**  
*Glasgow, Bridgeton*

*Crofters Holdings (Scotland) Act*, 575, 584

*Local Government (Ireland) Bill*, 1614

*Persian Tobacco Concession*, 1949

*Plural Voting Abolition Bill*, 1212

*Universities Ordinances (Scotland)*, 472

*Tuberculosis Commission*

*Q. Mr. G. Balfour, A. Mr. Ritchie*, 824

*Tullamore Gaol, Fever in*

*Q. Mr. T. M. Healy, A. Mr. Jackson*, 1663

*Turkish Loan Sinking Fund*, 1284

*Turnor, Mr. Algernon, Services of*, 948

*Typhoid Fever—Horse Guards*, 1427

*Uganda Troubles*

*Q. Mr. Bryce, A. Mr. J. W. Lowther*, 1305;

*Q. Sir T. Esmonde, A. Mr. J. W. Lowther*, 1911

*Ulster Farmers and Sale of Land*

*Q. Mr. McCartan, A. Mr. Jackson*, 706

*Under-Age Enlistment*

*Q. Mr. W. Redmond, A. Mr. Brodrick*, 1524

*Union Removals, Returns of*

*Q. Mr. A. O'Connor, A. Mr. Jackson*, 708

*United States and Newfoundland Convention*

*Q. Mr. F. Evans, A. Baron H. de Worms, Mr. J. W. Lowther*, 709

*Universities of Oxford and Cambridge Act, 1877 (Cambridge)*

Copy of Statutes pres. 484

*Universities (Scotland) Ordinances*

*Motion, Lord Watson*, 337-339

*Reso. Mr. Haldane*, 449, *Divisions*, 483

*Her Majesty's Answer to l. Address*, 1641

*Vaccination Fines*

*Frederick Humphrey, Q. Mr. Logan, A. Mr. Matthews*, 1304

*W. G. Unkles, Q. Mr. A. Bright, A. Sir C. J. Pearson*, 12

*Vaccination, Royal Commission*

*Q. Mr. Summers, A. Mr. Ritchie*, 711; *Q. Mr. Channing, Mr. Summers, Mr. Picton, A. Mr. Matthews*, 1517 (see *Small-Pox* also)

*Vestry Elections, Police Votes*, 372, 962

*Vestrymen and Voting Penalties*

*Q. Mr. Causton, A. Mr. Ritchie*, 517

*Veterinary Inspectors, Ireland*

*Q. Mr. T. Harrington, A. Mr. Jackson*, 963

**Vexatious Litigation (Scotland) Bill**

[c. No. 373]

*Intro. Dr. Cameron*; *Read 1<sup>o</sup>*, 1856

*Vicar's Rate at Coventry*

*Q. Mr. Ballantine, A. Mr. A. J. Balfour*, 1666

**VINCENT, Colonel C.E. Howard, Sheffield, Central**

*Destitute Foreigners*, 279

*Hurricane in Mauritius*, 1660

*Volunteers and Jury Service*, 273

*Volunteers and Jury Service*

*Q. Colonel H. Vincent, A. Mr. Brodrick*, 273; *Q. Obs. Lord Clifford of Chudleigh, Earl of Wemyss, Earl of Pembroke, The Lord Chancellor, Earl Spencer*, 1420-1427

*Volunteers, Membership of Clubs*

*Q. Sir W. Lawson, Mr. Webster, Mr. Winterbotham, Mr. Morton, Mr. Labouchere, A. Mr. Matthews*, 365, 367

**WADDY, Mr. S. D., Lincolnshire, Brigg**  
*Electors Qualification and Registration Bill*, 1815

*Glasgow Police Bill*, 1112

*Small Agricultural Holdings Bill*, 1147

